TERMS OF SUBSCRIPTION.

The *National Era* is published every Thursday, on the following terms:

Single copy, one year · · · · · · · · $2.00
Three copies, one year · · · · · · · 5.00
Five copies, one year · · · · · · · · 8.00
Ten copies, one year · · · · · · · · · 15.00
Single copy, six months · · · · · · · 1.00
Ten copies, six months · · · · · · · 8.00

Voluntary agents are entitled to retain 50 cents commission on each yearly, and 25 cents commission on each semi-yearly, subscriber, *except in the case of Clubs.*

A Club of five subscribers, at $8, will entitle the person making it up to a copy for 6 months; a Club of ten, at $15, to a copy for one year. When a Club has been forwarded, additions may be made to it, on the same terms.

THE NATIONAL ERA.

G. BAILEY, EDITOR AND PROPRIETOR; JOHN G. WHITTIER, CORRESPONDING EDITOR.

VOL. XI. WASHINGTON, D. C., THURSDAY, DECEMBER 10, 1857. NO. 571.

RATES OF ADVERTISING.

Ten cents a line for the first insertion, *five* cents a line for each subsequent one. Ten words constitute a line. Payment in advance is invariably required.

☞ Money may be forwarded by mail, at *my risk.* Notes on Eastern banks preferred. Large amounts may be remitted in drafts or certificates of deposit.

☞ Subscribers wishing their papers changed, will give the name of the post office changed *from,* as well as the post office they wish it hereafter sent *to.*

☞ All communications to the *Era,* whether on business of the paper or for publication, should be addressed to

G. BAILEY, *Washington, D. C.*

WASHINGTON, D. C.

For the National Era.

ON THE SIDEWALK.

BY GAIL HAMILTON.

"None but thou and I shall know
Whose the doom and whose the woe—
None but thou and I shall share
In the secret printed here—
It shall be a secret still,
Though all look on it at will.
And the eye shall read in vain,
What the heart cannot explain."

On the sidewalk, night and morning,
  Ceaseless tread of eager feet—
Pleasure, passion, pain, and madness,
  Stalking up and down the street.
How the golden stars were burning,
  Throbbing, glowing, in the sky;
How the earth lay calm and holy,
  Underneath the summer sky,
As we walked among the walkers—
  Slowly, sadly—you and I.

But the stars serene and shining,
  And the moonlight, always cold,
And the countless crowds, pursuing
  Wisdom, glory, wine, or gold—
Drew no meaning, read no token,
  Felt no mighty, mystic power,
From the words we lightly uttered,
  In that unforgotten hour—
Lightly spoken, lightly spoken—
  Woe is me, the heavy heart!
Woe is me, the dreary phantom
  That may never more depart.
O the sudden, *silent* anguish,
  Drinking up the springs of life!
O the terrible concealing
  Outward sign of inward strife!
Bootless, fruitless, vain outreaching
  For the light too early gone.
Shadowy memories of the past,
  Only, left to live upon.

You will go your way in life,
  I shall calmly walk in mine.
Of that hour of strange communing
  All my years shall give no sign.
While I wander in the darkness,
  Be the way or short or long,
All the guards of my heart's portals
  Shall be sunshine, smiles, and song.
Fear you not, I have a balsam
  For the burning in my brain;
This is joy beyond all sorrow—
  We are one—by common pain.
Did you feel my heart was breaking?
  Did I read your soul aright?
Did we know it was forever?
  But we only said "Good night!"

Life is short, and Love eternal.
  This the golden garland be
For the bitter, brimming chalice
  Poured alike to you and me.
Bravely gird thy robes about thee,
  Bravely take thy staff in hand,
Bravely travel, onward, upward,
  To the undiscovered land.
Heave no sigh in vain regretting
  For the days that might have been;
This should be thy soul's ensnaring,
  He must run who wills to win.
When the sun of life spheres westward,
  And the lengthening shadows fall,
Looking back on all our pathway,
  We will bless the Lord for all.

For the National Era.

GENUINENESS OF THE WAVERLEY NOVELS.

Epidemics mental are no rarer things than epidemics physical. The present influenza among the *genus Bohemianum* has taken the form of plagiary-hunting, and its most deplorably-pitiable exhibition is the pamphlet which has lately gone through two editions in England, entitled, "Who wrote the Earlier Waverley Novels," and accredited to one Mr. Fitzpatrick. If there is anything more repulsive than a rat, it is a weasel; if any character is more despicable than a thief, it is the informer. But when the informer is a Titus Oates, a Lituba, a Martha Parris, whose only chance for notoriety is to cry ghost, witch, papist, at a wind-shaken shirt or a harmless old woman, it seems to us almost criminal to take other notice of him than to recommend him to a beam and a halter; and certainly we should never have taken up a pen to speak of the slipper of this new Empedocles, had not the "London Critic" and Mr. Gilfillan been so imprudent as to countenance his miserable book.

Gilfillan, who is editing a new edition of Sir Walter Scott's Works, has replied to Mr. Fitzpatrick in a tone that is by no means either creditable to his sagacity or just to the subject, much less to the character of his great compatriot. We do not propose to reopen a discussion that was definitively settled long before Scott publicly avowed his authorship, by the very able and ingenious "Letters to Heber," published by Mr. Adolphus, in 1821. If any persons fancy the authorship of the Waverley Novels at all questionable, we refer them to this complete and exhaustive analysis of the subject, in which the young author has demonstrated, as completely as moral reasoning can demonstrate anything, that no other individual than Walter Scott, sheriff, advocate in Edinburgh, editor of the Border Ballads, and author of Marmion, *could* have written the Waverley Novels. Mr. Gilfillan might have spared himself further trouble than that of quoting, as Lockhart has done, the table of contents simply of Mr. Adolphus's book; and the mere cataloguing of the points established would have recalled to every reader of Scott an internal evidence to their genuineness, so powerful that no statement of extraneous circumstances, however plausible, could have availed to shake it.

We shall not say anything of Mr. Fitzpatrick's pamphlet, further than to point out several instances of error so glaring as to prove either that he has never read Lockhart's admirable biography, or (which is more probable) that he has been guilty of wilful falsehood, for the sake of making out his case.

He says, in one place, "Mr. Lockhart admits, that on December 25th, 1814, no part of 'Guy Mannering" had been written by Walter Scott; yet, on the 18th of January, 1815, two volumes of that novel were printed. What! two volumes of 'Guy Mannering' composed, written, copied, printed, and proof corrected, in twenty three days! Yet Mr. Lockhart, in another part of his memoirs, states that Scott, at the height of his powers, considered fifteen pages of print to be a good day's work; and we should think it was. Even this is an exaggeration, *for Scott himself noted in his diary the accomplishment of ten or twelve pages as a good day's work.*" Now, in this style do they pick a man's reputation to pieces! Any uninformed person reading the above would say, with the "London Critic," "There must be something in this." So there would be, only these statements labor under the exceeding disadvantage of being false from beginning to end. In the first place, Lockhart intends no such idea as he is credited with above; and as for *confessing it,* when "Guy Mannering" was written, he knew as little about the authorship of the Waverley Novels as Mr. Fitzpatrick does about their genuineness. Lockhart says this: "It has been shown that the three last cantos of the 'Lord of the Isles' were written between 11th of November and 25th of December; and it is therefore scarcely supposable that any of this novel had been penned before he thus talked of 'refreshing the machine.' It is quite certain, that when James Ballantyne wrote to Miss Edgeworth, on the 11th of November, he could not have seen one page of 'Guy Mannering,' since he in that letter announces that the new novel of his nameless friend would depict manners more ancient than those of 1745." Now, it is equally certain that on the 7th of November, Scott received from Mr. Train the ballad upon which Guy Mannering is founded; and it is not improbable that he began the new novel forthwith, else why would Ballantyne have written of his "friend's new novel" *at all,* only four days after the material was received? Any one might read the first sheet or two of Guy Mannering, and say, with reason, that it treated of manners "more ancient" than 1745. There is no reason for saying that Scott did not take up "Guy Mannering" before he had finished the "Lord of the Isles." He wrote the "Bridal of Triermain" while engaged upon another of his novels; and it was always a favorite custom of his to keep several "irons in the fire" at once. We must always remember, that this passage in Lockhart partakes of the character of "special pleading." He was instancing the rapidity with which Scott wrote; and is there any wonder, if, in his desire to make out as strong a case as possible, he overshot his mark?

But even granting, for the sake of the argument, that the two first volumes of "Guy Mannering" must have been written between December 25th and January 18th, if we are to believe it the composition of Walter Scott, we cannot see that it was so remarkable a circumstance as Mr. Fitzpatrick wishes us to regard it. It is well known that Scott sent his manuscript to press as fast as it left his hands, and was copied, day by day; and there is nothing absurd in supposing that a house like that of Ballantyne & Co. could print as fast as one man could write. As far as the *copying* part is concerned, hear what Basil Hall says: "Any clerk in an office could transcribe one of the Waverley novels in a week or ten days—say a fortnight." Hence the question reduces down to this one: How fast *could* and *did* Scott write? Mr. Fitzpatrick states, giving Lockhart as authority, that Scott, in the height of his powers, could write fifteen printed pages a day. Now, this is false, and, we fear, wilfully so; and to prove it, we refer the reader to Scott's Diary, *passim.* For instance: "December 26, 1825.—I wrote six of my close pages yesterday, which is about *twenty-four pages in print;* and what is more, I think it comes off twangingly." "January 23, 1826.—Wrote till 12 M., finishing *half* of what I call a *good day's work*—ten pages of print, or rather twelve." This is the passage Mr. Fitzpatrick refers to above, and we see that he has divided the fact by two, which makes a material difference in the result. "January 30th.—I labored fairly yesterday. The stream rose fast—if clearly, is another question; but there is bulk for it, at least—*about thirty printed pages.*" "February 3d.—* * * From the 19th of January to the 2d of February, inclusive, is exactly fifteen days, during which time, *with the intermission of some days idleness,* to let imagination brood on the task a little, *I have written a volume.* I think, for a bet, I could have done it in *ten days.*" He appears to have made this bet, for, under date of February 12th, we find the following entry: "Having ended the second volume of Woodstock last night, I had to begin the third this morning." Again: "February 20th.—Yesterday, though late in beginning, I nearly finished *my task,* which is six of my close pages, *about thirty pages of print.*" "March 12th.—Resumed Woodstock, and wrote *my task of six pages.*" &c.

Now, we find Sir Walter, at this time, tasking himself to write these twenty-four to thirty pages a day—not fifteen, Mr. Fitzpatrick!—and actually completing two volumes in less than twenty five days, "with the intermission of some days idleness;" and yet, at this very time, he was in his fifty-fifth year, broken in health, suffering from the actual presence of acute disease, and in a state of the most terrible mental affliction and despondency, on account of the calamity which, only a month previous, had involved his fortune, and, as he feared, his good name. Will Mr. Fitzpatrick assert that he was not capable of doing so much in 1815, when he was in the prime of life, in the enjoyment of the most perfect health and spirits, and in a perfect fever of literary activity? Besides, while writing Woodstock, he had to give, on an average, four hours of his time daily to the Court, which was then in session in Edinburgh, and on which his attendance was required by his duties as sheriff; when he wrote "Guy Mannering," he was away from his family, and without company, at Abbotsford, "refreshing the machine," as he styled it. That he *did* write as fast as he could while composing "Guy Mannering," we learn from his letter to J. B. S. Merritt, dated 19th January, 1815, in which he writes, "I want to shake myself free from Waverley, [i. e., to free himself from the suspicion of being its author,] and accordingly *have made a considerable exertion to finish an odd little tale within such time as will mystify the public,* I trust, unless they suppose me to be Briareus." Certainly, Sir Walter *did* succeed in "mystifying" Mr. Fitzpatrick.

But enough of this. If Mr. Fitzpatrick's blunders are from ignorance, it is the public's fault, if they follow him into the ditch. If his mistakes are wilful, we can but pity the man who, for the sake of seeing himself in print, attempts to sully the fair fame of such a man as Walter Scott. We blame Mr. Gilfillan for the manner in which he has replied to this nonsensical pamphlet. No one who is at all acquainted with the character of Walter Scott, no one who has read his letters, his diary, his books, will dare to credit such a defamation of his character. Nowhere in literature do we find a more genial, honest, true-hearted gentleman. Call over the bede-roll of literary history, Shakspeare, Sydney, Spenser, Jean Paul, Rousseau, Johnson, can you name any one of them who would have pledged himself, muscle, brains, life, as Walter Scott did, to his creditors, to pay off a debt with which he was hampered by the criminality of others, and which, legally considered, there was no obligation upon him to pay? Call them over again, and can any man be named, of all the famous ones, who more scrupulously and entirely and explicitly stated, and gave chapter and verse for every word, thought, idea, which he borrowed from others? And yet this modest, honest, true-hearted man of honour, this noble, indefatigable worker, is vilely and without reason accused of having stolen his best work from his own brother!

Is there no remedy for this? In the "good old times," when one man defamed another, the custom was to crop his ears, fix him in the pillory, and pelt him with foul eggs, until he came to his right senses. Where is the pillory for Fitzpatrick? Public sentiment will not do, for he is so far beneath it, that its indignant waves would not disturb him.

But, seriously, there ought to be some remedy against this mania for accusations of plagiarism. It is all well enough to say that authors are "public men," and must look for and submit to such things. So are the Capitol and the Congressional Library public property; but is a man therefore exempt from punishment, if he be detected in defacing the books or destroying the statuary? To accuse an author of having plagiarized, is as much defamation of character as to accuse one's neighbor of having picked your pocket; and the same protection should be extended in the one case that is availed of in the other.

For our own part, we wish Mr. Fitzpatrick no greater punishment, no more profound humiliation, than that of being compelled to give a public reading, in which he shall first state the substance of his charges against Sir Walter Scott, and then be compelled to read aloud the private diary and tear-bringing heart record of that same maligned Sir Walter. "*Barbarus has segetes?*" was the poor bankrupt's cry, when he learned that his estate was in danger. "*Barbarus has segetes?*" is his spirit's cry now, if it be permitted him to know of Mr. Fitzpatrick and his pamphlet.

EDWARD SPENCER.

Martin's Nest, Md., Nov., 1857.

A MODEST REQUEST.—In the Tennessee Senate, Mr. Goodpasture presented a memorial from citizens of Scott county, asking to be released from taxation, on account of the hard times, and that an appropriation of $4,000 or $5,000 be made for their benefit.

BELOOCHEE TRAITS:

OR,

ADVENTURES IN BELOOCHISTAN.

In the last number of *Blackwood* there is an interesting article on Beloochistan, by one who has travelled much in Central Asia, from which we extract the following:

A BELOOCHEE DOCTOR.

To the practice of medicine in Beloochistan there are only two slight drawbacks. When the physican gives a dose, he is expected to partake of a similar one himself, as a guarantee of his good faith; should the patient die under his hands, the relatives, though by no means bound to exercise it in all circumstances, have the right of putting him to death, unless a special agreement has been made, freeing him from all responsibility as to the consequences; while he, should they decide on immolating him, has no reasonable ground for complaint, but is expected to submit to his fate like a man and a hakim. In other respects, the amateur will find an easy field. No diploma or special qualifications are required of him; his ignorance will remain undetected; the ailments are few and simple; the chances for recovery are great, for the healing power of nature is very strong.

The two drawbacks I have mentioned, and to which no European need subject himself, may appear to be very cruel conditions of medical practice, but, in reality, they belong to the civilization (such as it is) of Beloochistan, and form a protection against worse evils. Like the blood-feud which exists in that country as well as in all the Arab-peopled deserts, these conditions are intended to provide for the preservation of life, and undoubtedly have that effect. For, unfortunately, the ordinary Eastern hakims are not men of irreproachable character. Mohammed Bux, for instance, who was born in Upper India, and, in the course of his vagabond life, has travelled from Pegu to Bagdad, is an unscrupulous scoundrel, who dares not show his face in two thirds of the places where he has been. As a last desperate resource, when hotly pursued by deserted wives, defrauded creditors, and relatives of patients to whom he has administered poisonous drugs, he takes refuge in Beloochistan, and proceeds to pay his way by killing and curing. When he falls into the hands of Balooch Khan, the crafty old chief deems it an excellent opportunity for gratifying a cherished desire. Long has Balooch Khan gnashed his teeth at the growing power and influence of his formidable neighbor, Mihrab Khan; so, taking Mohammed Bux aside, he first threatened that worthy with instant death as the meet reward of his deeds, but, then softening down a little, hints that not death, but a large reward, might be bestowed on Mohammed Bux, would he only administer such a potion to Mihrab Khan as might prove the sherbet of mortality to that chief; or, still better, might steal away his mind, leaving his body like an empty vessel, without honor. Balooch Khan having sworn, by Peer Kisri, or else with the Koran on his head, to give the reward, Mohammed Bux proceeds to Mihrab Khan, and, very likely, the first thing he does is to inform that chief of the whole plot; whereon Mihrab pretends to be very ill, and desirous, before he dies, of seeing Balooch Khan. If Balooch Khan falls into this trap, he goes, secretly exulting, to condole with his neighbor; but no sooner is he seated, and before any guarantee is passed, than a sudden end is put to his existence, by a blow similar to that which was bestowed on the valiant Fairshon by the Chief of the clan McTavish. But possibly Mohammed Bux may deem it best to keep faith with the first chief, and it is with the view of preventing him, and men like him, from administering poison, that he is compelled to take dose for dose. Even this is regarded as an insufficient protection, for the hakim may have antidotes. As a further safeguard, it is necessary to hold over him the punishment of death in the event of matters going suspiciously wrong.

In all southern Beloochistan, however, the European who proffers medicine is regarded without suspicion. And there is nothing so extraordinary that it may not be expected of the traveller and physician.

At one small town, a man was brought to me who had no arms, but only three-fingered hands, no larger than a child's projecting out of the otherwise smooth sides of the body. This *lusus naturæ* was really a very singular development, and ought to be procured for a surgical museum; but he was brought, not as a curiosity, but in order that I might give him medicine to make his arms grow. Imprudently, I acknowledged that this case was quite beyond my abilities; and this, instead of procuring me any credit for honesty and candor, only caused disappointment, and excited the painful suspicion that possibilities which were demanded. In fact, chloroform, galvanism, and a little jugglery, are the only means by which a great medical reputation could be procured and sustained. A galvanic shock might be set down as the expulsion of a very powerful devil out of the system; and the vital principle might be supposed, when the patient was in a comatose state, to have visited the abodes of the blessed, and obtained a new lease of earthly life.

NOT AFRAID TO SMELL BLOOD.

With the wounds of the Belooches I would have nothing to do; for, exposed as they are to hardships and constant accidents, the simplest treatment suffices. In cases of mutilation, they plunge the stump into boiling oil, and suffer far less than Europeans would do from this hideous practice. I never saw this actually done, but in two cases came upon Brahuis who had just undergone the operation. The first of these was among the mountains to the northwest of Las, among the passes of which I was lost, and was seeking in vain to find a way to the plain below, where my tent was pitched. About midnight, while wandering about unable to sleep, from the cold, I got sight of some camp fires, and, advancing to them, narrowly escaped being untimely slain by the alarmed Brahuis. Luckily, however, they were aware of an amicable stranger being in their neighborhood, and, after the first alarm, received me kindly, increasing the fires, giving milk, and all sitting up to talk and smoke. One of these men showed me his hand, from which a camel had torn two fingers a little after dark that night, and which he had soothed with boiling oil, in order to stop the bleeding, and prevent mortification. A thin cloth adhered to it, and over this was tied a piece of lamb's skin. The hand was a frightful ruin, but he took the matter very quietly, smoking, talking, and laughing with the rest, as if nothing particular had happened. The Brahuis, it must be remembered, are of Tartar race, and of all men the Tartars are the most insensible to pain, and consequently the most frequent and ingenious in the use of torture. Terrible is the fate of the highly-nervous and sensitive European who, as a foe, falls into their hands, to be slowly flayed alive, like General Bekevitch, or, as a slave, to be tortured during years. This insensibility or indifference to pain was not confined to the men with whom I met. One ferocious old woman, two of whose fingers had grown together from some cause or other, wished me to cut them asunder; and on my declining to gratify her desire, insisted upon its being done, and at last tauntingly asked if I was afraid to smell blood. Neither she nor her friends, however, would themselves venture on the operation, having, like all savages, a great dread of unknown results; they wished some one to undertake the responsibility of it.

ADVENTURE WITH A JEALOUS HUSBAND.

While such interesting female patients were rather difficult to deal with, from the effect of years and grief upon them in producing a certain wildness, and even blood-thirstiness of disposition, the younger, fairer, and gentler of the sex, were quite as dangerous and embarrassing, from the jealousy with which their excessive curiosity was regarded by their not indulgent lords and masters. For the sword, to use a Sindian phrase, is tied to the strings of the trowsers of the women of Beloochistan; or, in other words, their husbands possess over them absolute power of life and death, and often cruelly exercise it, from motives of the most fanciful kind. The wife of a Belooch, like the wife of Cæsar, is expected to be beyond all suspicion, (not that they all are, however,) and when her lord thinks otherwise—which he is very apt to do without sufficient reason, and not to do when he ought—he has immediate and passionate recourse to his knife. This affords a very sufficient reason why the traveller in the country should be cautious in availing himself of the almost unrestained opportunity which he has of conversing with married women. They are not confined or veiled, just because the serious penalty which they must pay for any imprudence or unfaithfulness is judged a more effective, as it certainly is a simpler and easier, method of restraining erratic inclinations, and upholding conjugal virtue. And I am far from being certain that this Belooch system is at all more cruel, considering the character of the people, than that which prevails in the state of civilization. That it is more effectual, is also a doubtful point. At an encampment of Sumirs, who are, comparatively speaking, rather a timid race, I got a lesson on this subject. One young woman, of them, was really beautiful, although she had grown up in the jungle, without even a tent to protect her from the fierce sun and from the cold dews of night. Her complexion was unusually fair; her black locks were wound round her head, somewhat in Grecian style; and her scanty garments, (a shift and shirt,) scarcely concealed finely rounded and almost faultless limbs. As she was suffering slightly from fever, I gave her some medicine, and also some sirup, she directing me to pour it into the hollow of her hand, while, by applying her mouth to her wrist, she was able to drink, without allowing any to escape.

Unfortunately when I was feeling the pulse of this Sumric beauty, her halt Belooch, extremely ugly, black, and savage husband made his appearance, bearing a broken-limbed goat upon his shoulders, and looking all suspicion and wrath. He evidently had no faith whatever in my moral character, and looked upon my medical business as a mere diabolical pretence, which it was his duty and interest to expose. Intruding himself upon our *tete a-tete,* he spoke in a rude and provoking way, which I could interpret easily without catching the separate meaning of almost a single word. Especially he tried, and with success, to excite a laugh against me, by derisively inquiring if I could turn a portion of his body white. It is dangerous in Beloochistan to let the laugh be turned against one by an angry man, though it is expedient not to be hasty in noticing good-humored ridicule. In this case it was lucky that I understood his ridicule; for while the servant with me was explaining, there was time to consider how it should be met. The expedient I adopted was to pull out a knife, catch him by the arm, and make a slight incision, intimating that there was nothing easier than to turn him white, only, in the first place, he would have to submit to being flayed. This rude but not very brilliant jest took amazingly, and preserved my moral supremacy. His companions seemed highly tickled and delighted at the idea of their friend losing his skin, and threw themselves on the ground, rolling about, laughing, and repeating, "Hakullo wants to be made white! Hakullo must be flayed!" Marsyas himself seemed paralyzed at the audacity of the proposal, and turned away growling precisely as a savage dog does from an untried foe which it is doubtful about attacking. This did not please his friends at all, and they were so earnest on the subject, that I began to fear—the more so, as he seemed an unpopular character among them—that they might tie him up, and insist on the operation being performed. After this he established himself behind a bush close by, and consoled himself with examining and handling his matchlock in a way which showed how his thoughts were running; for he aimed at me with it more than once, when he thought I was not observing. The cord not being lighted, there was no danger in this; but when he rose, lighted a large pipe, and took it over to his lair, I thought it expedient to speak to his affectionate friends on the subject, whereon they said he was a bad man, and took his gun away from him. There was no great chances of the laws of hospitality being broken; but the possibility of the ruffian wreaking his vengeance on the unoffending wife afforded an unpleasant subject of contemplation. Well was it that Hakullo had a demoniac-looking mother-in-law, who seemed quite able to protect herself and her daughter too.

WIFE KILLING.

Even in Sind, where the crime is punished with death, it is difficult to persuade the Belooches that they have no right to slay their wives. One whom I saw executed for having done so, persisted to the last—even after he had a taste of the gallows, for on the first removal of the drop, the rope broke, and he fell to the ground—in exclaiming against the monstrosity and barbarity of his sentence, although he had committed the murder without provocation, and when under the influence of bhang. Of course, in their own country they have perfect liberty to slay, for rarely or never do the relatives of the wife make her death a matter of blood-feud. The tongues of the women, as also of male slaves, are cut out occasionally. At Bela, a Belooch lady, evidently once of superior rank, and who had been treated in this way, haunted me like an uneasy ghost, waylaying me, and stealing incessantly into my tent, where she would clasp my feet, make a painful noise in her throat, and piteously gesticulate some incomprehensible request. There was a wild light as of madness in her eyes; and the people of the place denied all knowledge of her, except that she came from further north. She would accept nothing that I offered, except a piece of writing, which she took apparently as a charm, and carefully preserved in her hair. Her tongue had been recently amputated near the root. God knows what she desired to say, but likely enough her story was one of great wrong, of some cruel injustice and unmanly brutality. Subjected to such influences, it is no wonder that one portion of the women of Beloochistan are timid and extremely submissive; while others and elders—those who have strength to go through the ordeal of life—are capable of anything except tenderness and mercy. But severely as they are treated, it is not to be denied that they are for the most part exceedingly faithful, and prove affectionate mothers and wives. Though polygamy has not been made a sin, nor "one to one" by any law been "cursedly confined," yet the use and habit of the country is for each man to have only one wife at a time. They will sometimes even fight by the side of their husbands, when the issue of any conflict is suspended; and they have been known, single handed to bind, and beat too, troublesome and unlawful admirers of the opposite sex.

OUR LANGUAGE.—Dictionary English is something very different not only from common colloquial English, but even from that of ordinary written composition. Instead of about 40,000 words, there is probably no single author in the language from whose works, however voluminous, so many as 10,000 words could be collected. Of the 40,000 words, there are certainly many more than one-half that are only employed, if they are ever employed at all, on the rarest occasions. We should any of us be surprised to find, if we counted them, with how small a number of words we manage to express all that we have to say, either with our lips or even with the pen. Our common literary English probably hardly extends to 10,000 words, our common spoken English hardly to 5,000. And the proportion of native or home-grown words is undoubtedly very much higher in both the 5,000 and the 10,000 than it is in the 40,000. Perhaps of the 30,000 words, or thereabouts, standing in the dictionaries, that are very rarely or never used, even in writing, between 20,000 and 25,000 may be of French or Latin extraction. If we assume 22,500 to be so that will leave 5,000 Teutonic words in common use; and in our literary English, taken at 10,000 words, those that are non-Roman will thus amount to about one-half. Of that half, 4,000 words may be current in our spoken language, which will therefore be genuine English for four fifths of its entire extent. It will consist of 4,000 Gothic and 1,000 Roman words.—*Dublin University Magazine.*

PUNS AND PUNNING.

BY O. W. HOLMES.

Do you mean to say that the pun-question is not clearly settled in your minds? Let me lay down the law upon the subject. Life and language are alike sacred. Homicide and *verbicide*—that is, violent treatment of word with fatal results to its legitimate meaning, which is its life—are alike forbidden. Manslaughter, which is the meaning of the one, is the same as man's laughter, which is the end of the other. A pun is *prima facie* an insult to the person you are talking with. It implies utter indifference to or sublime contempt for his remarks, no matter how serious. I speak of total depravity, and one says all that is written on the subject is deep raving. I have committed my self-respect by talking with such a person. I should like to commit him, but cannot, because he is a nuisance. Or I speak of geological convulsions, and he asks me what was the cosine of Noah's ark; also, whether the Deluge was not a great deal huger than any modern inundation.

A pun does not commonly justify a blow in return. But if a blow were given for such cause, and death ensued, the jury would be judges both of the facts and of the pun, and might, if the latter were of an aggravated character, return the verdict of justifiable homicide. Thus, in a case lately decided before Miller, J., Doe presented Roe a subscription paper, and urged the claims of suffering humanity. Roe replied by asking, When charity was like a top? It was in evidence that Doe preserved a dignified silence. Roe then said, "When it begins to hum." Doe then—and not till then—struck Roe, and his head happening to strike a bound volume of the Monthly Rag-Bag and Stolen Miscellany, intense mortification ensued, with a fatal result. The chief laid down his notions of the law to his brother justices, who unanimously replied, "Jest so." The chief rejoined, that no man should jest so without being punished for it, and charged for the prisoner, who was acquitted, and the pun ordered to be burned by the sheriff. The bound volume was forfeited as a deodand, but not claimed.

People who make puns are like wanton boys that put coppers on the railroad tracks. They amuse themselves and other children, but their little trick may upset a freight train of conversation for the sake of a battered witticism.

I wish to refer to two eminent authorities. Now, be so good as to listen. The great moralist says, "To trifle with the vocabulary which is the vehicle of social intercourse, is to tamper with the currency of human intelligence. He who would violate the sanctities of his mother tongue, would invade the recesses of the paternal till without remorse, and repeat the banquet of Saturn without an indigestion."

And, once more, listen to the historian:

"The Puritans hated puns. The Bishops were notoriously addicted to them. The Lords Temporal carried them to the verge of license. Majesty itself must have its Royal quibble. 'Ye be burly, my Lord of Burleigh,' said Queen Elizabeth, 'but ye shall make less stir in our realm than my Lord of Leicester.' The gravest wisdom and the highest breeding lent their sanction to the practice. Lord Bacon playfully declared himself a descendant of 'Og, the King of Bashan. Sir Philip Sidney, with his last breath, reproached the soldier who brought him water, for wasting a casque full upon a dying man. A courtier, who saw Othello performed at the Globe Theatre, remarked that the blackamoor was a brute, and not a man. 'Thou hast reason,' replied a great Lord, 'according to Plato his saying; for this be a two-legged animal *with* feathers.' The fatal habit became universal. The language was corrupted. The infection spead to the national conscience. Political double-dealings naturally grew out of verbal double-meanings. The teeth of the new dragon were sown by the Cadmus who introduced the alphabet of equivocation. What was levity in the time of the Tudors, grew to regicide and revolution in the age of the Stuarts."

Who was that boarder who just whispered something about the Macaulay-flowers of literature? There was a dead silence. I said, calmly, I shall henceforth consider any interruption by a pun as a hint to change my boarding house. Do not plead my example. If I have used any such, it has been only as a Spartan father would show up a drunken Helot. We have done with them.—*Atlantic Monthly.*

A CANDID DEACON.

Deacon M. was an honest old codger, a kind, obliging neighbor, and a good church-going Christian, believing in the Presbyterian creed to the fullest extent; but alackaday! this Pillar of the church was at times a little "shaky"—in fact, the Deacon would occasionally get exceedingly "mellow;" and almost every Sunday at dinner he would indulge in his favorite cider-brandy to such an extent that it was with some difficulty he reached his pew, which was in the broad aisle, near the pulpit, and between the Minister's and village 'squire's. One Sunday morning, the Parson told his flock that he should preach a sermon to them in the afternoon, touching many glaring sins that he had grieved to see so conspicuous among them; and that he hoped that they would listen attentively, and not flinch if he should happen to be severe. The afternoon came, and the house was full; everybody turned out to hear their neighbors "dressed down" by the minister, who, after well opening his sermon, commenced upon the transgressors in a loud voice, with the question, "Where is the drunkard?" A solemn pause succeeded this inquiry; when up rose Deacon M., with a face radiant from copious draughts of his favorite drink at his noontide meal, and steadying himself as well as he could by the pew-rail, looked up at the Parson, and replied, in a piping and tremulous voice, "Here I am." Of course, a consternation amongst the congregation was the result of the honest Deacon's response; however, the Parson went on with his remarks as he had written them, commenting severely upon the drunkard, and winding up by warning him to forsake at once such evil habits, if he would seek salvation and flee the coming wrath. The Deacon then made a bow, and seated himself again. "And now," out spoke the preacher man in his loudest tones, "Where is the hypocrite?" A pause—but no one responded. Eyes were turned upon this and that man; but the most glances seemed directed to the 'squire's pew, and indeed the Parson seemed to squint hard in that direction. The Deacon saw where the shaft was levelled, or where it should be aimed, and rising once more, leaned over his pew-rail, to the 'squire, whom he tapped on the shoulder, and thus addressed: "Come, 'squire, why don't you get up; I did, when he called on me."—*Boston Post.*

The vanity of riches is seldom illustrated so strikingly as in the case of the great English millionaire, Morrison, who died recently, worth $20,000,000. It seems to be one of the conditions of the accumulation of enormous wealth in a single generation, that the possessor shall first disqualify himself for enjoying it, and in some cases even of appreciating the fact that he holds it. Mr. Morrison accumulated this almost fabulous amount himself, and in the regular course of his business, without any extraordinary turn of fortune; yet the following extract from a letter in the *Boston Post* shows how little benefit he permitted himself to receive from all his wealth. What a satire it is upon the exclusive devotion of all the faculties to the mere accumulation of property!

"Mr. Morrison retired from active business several years since, without withdrawing his capital from the mercantile house, and the managing his vast funds himself, up to the time of his death, with all the sagacity of earlier days. He has for the past three years been possessed with the idea that he should come to want. More than two years ago he commenced doing day labor upon a farm held by one of his tenants, for which he received twelve shillings a week; and this he continued up to the time of his illness. For the last eighteen months he has been a regular applicant for relief to the parish, assembling twice a week with the town paupers at the door of the 'Union,' and receiving with each one of them his two shillings and a quartern loaf. His friends have indulged him in these fancies, on the ground that it was the best choice of two evils. The truth was, money was his god; and the idea became at last too great for him, and broke him down. And yet he is said to have made a most judicious will, and his investments, up to the last, are characterized by great good sense. The probate duty on his will exceeds £100,000."

THE OLD MAN ELOQUENT.

On the opening of the Twenty-sixth Congress, in Dec., 1839, in consequence of a two-fold delegation from New Jersey, the House was unable for some time to complete its organization, and presented to the country and the world the perilous and discreditable aspect of the people unable to form themselves into a constitutional body. On first assembling, the House has no officers, and the Clerk of the preceding Congress acts, by usage, as Chairman of the body till a Speaker is chosen. On this occasion, on reaching the State of New Jersey, the acting Clerk declined to proceed in calling the roll, and refused to entertain any of the motions which were made for the purpose of extricating the House from its embarrassment. Many of the most judicious members had addressed the House in vain, and there was nothing but confusion and disorder in prospect.

The fourth day opened, and still confusion and disorder were triumphant. But the hour of disenthralment was at hand, and a scene was presented which sent the mind back to the days when Cromwell uttered the exclamation, "Sir Harry Vane! Woe unto you, Sir Harry Vane!" and in an instant dispersed the famous Rump Parliament.

Mr. Adams, from the opening of this scene of confusion and anarchy, had maintained a profound silence. He appeared to be engaged most of the time in writing. To a common observer, he seemed to be reckless of everything around him; but nothing, not the slightest incident, escaped him. The fourth day of the struggle had now commenced; Mr. Hugh H. Garland, the Clerk, was directed to call the roll again.

He commenced with Maine, as was usual these days, and was proceeding toward Massachusetts. I turned, and saw that Mr. Adams was ready to get the floor at the earliest moment possible. His keen eye was riveted on the Clerk; his hands clasped the front edge of his desk, where he always placed them to assist him in rising. He looked, in the language of Ottway, like the

"—— Fowler, eager for his prey."

"New Jersey!" ejaculated Mr. Hugh H. Garland, "and the Clerk has to repeat that"—

Mr. Adams sprang to the floor!

"I rise to interrupt the Clerk," was his first ejaculation.

"Silence—silence!" resounded through the hall. "Hear him—hear him! Hear what he has to say! Hear John Quincy Adams!" were the unanimous ejaculations on all sides.

In an instant, the most profound silence reigned throughout the hall—you might have heard a leaf of paper fall in any part of it—and every eye was riveted on the venerable Nestor of Massachusetts, the purest of statesmen and the noblest of men! He paused for a moment; and, having given Mr. Garland

"—— A withering look!"

he proceeded to address the multitude.

"It was not my intention, said he, to take any part in these extraordinary proceedings. I had hoped that this House would succeed in organizing itself—that a Speaker and Clerk would be elected—and that the ordinary business of legislation would be progressed in. This is not the time or place to discuss the merits of the conflicting claimants for seats from New Jersey; that subject belongs to the House of Representatives, which, by the Constitution, is made the ultimate arbiter of the qualifications of its members. But, what a spectacle we here present! We degrade and disgrace ourselves; we degrade and disgrace our constituents and the country. We do not and cannot organize; and why? Because the Clerk of this House—the mere Clerk whom we create, whom we employ, and whose existence depends upon our will—usurps the throne, and sets us (the representatives, the vicegerents of the whole American people) at defiance, and holds us in contempt! And what is this Clerk of yours? Is he to suspend, by his mere negative, the functions of government, and put an end to this Congress? He refuses to call the roll! It is in your power to compel him to call it, if he will not do it voluntarily."

[Here he was interrupted by a member, who said that he was authorized to say that compulsion could not reach the Clerk, who vowed he would resign rather than call the State of New Jersey.]

"Well, sir, let him resign, (continued Mr. Adams,) and we may possibly discover some way by which we may get along without the aid of his all-powerful talent, learning, and genius. If we cannot organize in any other way—if this Clerk of yours will not consent to our discharging the trusts confided to us by our constituents—then let us imitate the example of the Virginia House of Burgesses, which, when the Colonial Governor (Dinwiddie) ordered it to disperse, refused to obey the imperious and insulting mandate, and like men" ——

The multitude could not contain or repress their enthusiasm any longer, but saluted the eloquent and indignant speaker, and interrupted him with loud and deafening cheers, which seemed to shake the Capitol to its centre. The very genii of applause and enthusiasm seemed to float in the atmosphere of the Hall, and every heart expanded with an indescribable feeling of pride and exultation. The turmoil, the darkness, the very chaos of anarchy, which had for three days pervaded the American Congress, were dispelled by the magic, the talismanic influence of a single man, and once more the wheels of Government were set in motion.

Having by this powerful appeal brought the yet unorganized assembly to a perception of its hazardous position, he submitted a motion requiring the acting Clerk to proceed to call the roll.

This and similar motions had already been made by other members. The difficulty was that the Clerk declined to entertain them. Accordingly, Mr. Adams was immediately interrupted by a burst of voices, demanding, "How shall the question be put?" "Who will put the question?" The voice of Mr. Adams was heard above the tumult, "I intend to put the question myself!" That word brought order out of chaos. There was the master mind.

As soon as the multitude had recovered itself, and the excitement of irrepressible enthusiasm had abated, Mr. Richard Barnwell Rhett, of South Carolina, leaped upon one of the desks, waved his hand, and exclaimed—

"I move that the Hon. John Quincy Adams take the chair of the Speaker of this House, and officiate as presiding officer, till the House be organized by the election of its constitutional officers. As many as are agreed to this will say *aye*"——

He had not an opportunity to finish the sentence—"those opposed will say *no*"—for one universal, deafening, thundering *aye* responded to the nomination.

Hereupon it was moved and ordered that Lewis Williams, of North Carolina, and Richard Barnwell Rhett, conduct John Quincy Adams to the chair.

Well did Mr. Wise, of Virginia, say: "Sir, I regard it as the proudest hour of your life; and if, when you shall be gathered to your fathers, I were asked to select the words which in my opinion are best calculated to give at once the character of the man, I would inscribe on your tomb this sentence: 'I intend to put the question myself.'"

It was told, as a good-natured joke, of an old Doctor, that being on a visit to a village where he had spent the earlier part of his life in practice, he one morning before breakfast went into a church-yard near the house where he was stopping. Breakfast being placed upon the table, the Doctor was inquired for. "I believe," said the servant, who had seen where he went, "that he has gone to pay a visit to some of his old patients."

ENGLISH FARMING.

BY JUDGE HENRY F. FRENCH, OF EXETER.

Butler Abbey is the residence of Thomas Crisp, Esq., one of the most noted breeders of short-horn cattle, of swine, and of Suffolk cart-horses, in that part of England. I spent several days under his hospitable roof, and gave his stock of animals a pretty thorough examination. He farms about 3,000 acres, and has hundreds of cattle and horses, and thousands of sheep. Perhaps a ride round the farm, for it is quite too large to walk over, may give an idea of a large farmer's affairs in that part of England. Mr. Crisp is, like most farmers, a tenant, and not the owner of the land he occupies. These tenancies, usually, I find, are not by a written lease, but by a sort of understanding, not quite definite enough for my taste, regulated much by the customs of the particular estate. A large proprietor, Lord somebody, or the Duke of something, owns some 20,000 or 30,000 acres, which has been in the family a thousand years, or, at least, from the time of William the Conqueror. This proprietor usually gives no personal attention to his estates, so far as the rents are concerned, but intrusts all such affairs to a steward, who makes his bargains with the tenants, and the lord of the domain sometimes does not even visit a farm in a generation; the tenant occupies at a fixed rate, which he pays half-yearly in cash; and although neither party is bound for more than the year, the tenant often occupies for his lifetime, and his son takes the farm at his decease. Landlords are willing to give long leases, but tenants seem to prefer the yearly system, so far as I have observed.

The tenant farmer seems to go on and make the permanent improvements, often at great expense, and lays out his work as if he owned the fee simple; and on the whole, homes are more permanent in this land of mere tenants, than in our land of fee-simple owners with migratory habits. The farmer pays a rent of, say five dollars per acre, annually, for his land, and conducts his operations in his own way, provided he does not cut down trees, or plow up any pasture land, or disturb the game, such as hares, and partridges, and pheasants, which go where they please, and do as much damage as they like, unmolested.

A "keeper"—that is, a game-keeper—lives on the estate, whose business it is to protect the game, and catch the poachers who presume to touch these animals, who are held as sacred as the geese in Rome's capital. The game laws are, and ever have been, a fruitless source of crime and suffering, and always will be, till human nature is thoroughly changed. On every estate where I have been, I have noticed with indignation the ravages of these useless animals called game in the fields of the finest wheat, while neither farmer nor laborer dares even drive them away, on penalty of his lord's displeasure, and the loss of his lease next year. I will say, however, that, properly viewed, this waste of human food is not the loss of the farmer, but of the landlord, because land not subject to the preservation of game is, for that reason, leased at a higher rent.

There are no large barns for grain and hay in the south of England, as with us, but those products which we so carefully protect are never housed. I have discussed the topic a good deal with farmers here, and they have reasons for their course; some I cannot venture to answer. They say they cannot afford the expense of barns, and that, if they could, hay would heat and burn up by spontaneous combustion, if put into them. The climate there is much more moist than ours, and I think the storms are not so violent. Hay does not dry so readily nor injure so much in the stack as with us, and, on the whole, if English farmers like their own mode best, we will find no fault with their judgment; but I am sure it is poor economy for New Englanders to follow their example in this particular. The low price of labor and the high price of building material in England, make in favor of stacks and against barns.

In Mr. Crisp's farm yard, I saw an original of the farm yards in which Landseer, and Herring, and other painters of animals, so much delight. Around in some order, though with no great regularity, are huge stacks of wheat, and barley, and hay, and straw, as large as goodly sized barns, all neatly thatched and trimmed.

There is a donkey quietly meditating upon the better condition of half a dozen cart horses that are standing up to their knees in straw, eating rye-grass and clover from the rack; and there a dozen black pigs of two months, with their maternal relative rooting about the very feet of the horses. Flocks of ducks are waddling about in the same yard, and hens and chickens mix into the scene in crowds. A big dog is chained to the gate, and a smaller one is barking to any stranger who approaches. Under the long tile-roofed shed, a dozen carts keep company with as many long-handled, long-nosed, long-beamed plows.

A steam-engine is puffing away, quietly and busily, with a threshing machine. Two or three men are passing up the sheaves from the rick, and two women on the top of the thresher receive it and unite the bands, while two more men are pitching the straw on to a new stack, about as large and high up as a forty-foot barn; while on the top of the same stack a boy is mounted on a horse of near a ton's weight, riding constantly about to tread down the straw. The horse and rider remind you of an equestrian statue on a very large pedestal; and as the horse is gradually rising higher and higher, you wonder how he is ever to get down again, seeing that the stack is perpendicular on every side, and fifteen feet high already. Everywhere is straw a foot thick—about the yards, in the stables, in the cow-stalls—the greater object seeming to be to tread it down for manure.

We went down to the tide-water which bounds one side of the farm, and examined the embankment against the sea. The embankment extends about twenty-two miles, and the "marshes" (as the drained lands are called) are some of the most valuable wheat-fields I have ever seen. I have since examined the "Lincolnshire fens," and the mode of drainage by immense steam-engines, as well as large tracts reclaimed from the sea elsewhere, and I feel safe in saying that the heaviest crops of wheat I have seen in England are upon these fens and marshes. They require a peculiar treatment, and a different rotation from the uplands; but the whole subject is well understood, and may be studied with advantage by all of us who live on the banks of rivers, or on the coast of the Atlantic.

Upon one part of the estate we found brick and tile works, where all the operations of making, setting, and burning drain-tiles were going on. This is a subject which has specially occupied my attention, and I have seen various machines in operation in several places, and have narrowly watched the methods of laying out the drains and laying the tiles. I am more impressed with the importance of the subject to us at home. Much perhaps of our New England soil requires no draining, but much of our most valuable land, I am satisfied, would double in value, at small expense, by draining with tiles, when we have them at a fair price, and know how to use them.

I have not space now to speak particularly of the crops of wheat and other grain, nor of the culture of the root crops, nor of the magnificent stock of cattle, swine, and sheep, nor of the plowing with those queer, old plows, straight furrows for half a mile, such as I never saw in America. We have had many talks about plows, but they have one argument in favor of their ungainly implement. Their work is far better than ours, and it is either because they have better plows or hold them better, and our farmers and plow-makers may settle that question as they can. I have seen a man in England, with a yoke of oxen fastened in collars, like horses, with blinders on and bits in their mouths, guiding them with reins, and holding the plow himself, striking out lands eighty rods long, with no stakes except at the ends, absolutely straight, so that I could not see an inch variation in the distance. It is a common operation here to plow land into ridges for mangolds, drill four rows at a time with a horse-drill, and when the crop is up, to horse-hoe four rows at once. Any person who will consider this statement, will perceive that all the operations must be accurate to admit of this treatment. I think bad plowing is one of our national sins.

MISCELLANEOUS.

SIR WALTER RALEIGH.—His pipe often furnished Raleigh with an opening for displaying his ready wit to the Queen. One day he was conversing on the singular properties of the new herb.

"I can assure your Majesty," said he, "that I have so well experienced the nature of it, that I can exactly tell even the weight of the smoke in any quantity I consume."

"I doubt it much, Sir Walter," replied Elizabeth, thinking only of the impracticability of weighing smoke in a balance, "and will wager you twenty angels that you do not solve my doubt."

A quantity was agreed upon to be thoroughly smoked. Carefully preserving the ashes, Raleigh weighed these with great exactness, and what was deficient of the original weight, he gave as the result.

"Your Majesty," said he, "cannot deny that the difference hath been evaporated in smoke."

"Truly I cannot," answered the Queen. Then turning to those around her, who had been amused by Raleigh's calculations, she continued, in allusion to the alchemists, then very numerous, "Many laborers in the fire have I heard of, who turned their gold into smoke; but Raleigh is the first who has turned smoke into gold."

We have heard of travellers getting authors to write their books of travels, and getting engravers to draw imaginary scenes for their embellishment; we have also heard of ladies, who could not sew, getting seamstresses to work beautiful needlework for them, which they exhibited as their own. But all this impudence is nothing to that of the famous Cardinal Richelieu. A man of great learning, called Le Jay, compiled a French Polyglot Bible in ten volumes folio, and having spent his fortune in its composition, he applied to the Cardinal, then Prime Minister of France, for assistance to bring out his work. To this application the Cardinal replied, that if his name were put on the title-page as author, he would then furnish means; but the noble Le Jay rejected the insolent offer, and submitted to poverty rather than lose the justly-acquired honors of so great an undertaking.

At an examination of the College of Surgeons, a candidate was asked by Abernethy—

"What would you do, if a man was blown up with powder?"

"Wait until he came down," he coolly replied.

"True," replied Abernothy; "and suppose I should kick you for such an impertinent reply, what muscles would I put in motion?"

"The flexors and extensors of my arm, for I would knock you down immediately."

He received a diploma.

"Do you know the prisoner, Mr. Jones?"

"Yes, to the bone."

"What is his character?"

"Didn't know he had any."

"Does he live near you?"

"So near, that he has only spent 5*s.* for fire wood in eight years."

A dry old crust of a fellow, who was unhappy with his preacher, because the "dry vine," as Carlyle would call him, could not penetrate the thick ligament that covered the crusty man's soul, signified to the minister his desire to have a pew nearer the pulpit."

"Can't you hear?" asked the good man.

"Yes," was the reply.

"Can't you see?"

"Yes."

"Then, why do you change?"

"Because," said the obdurate one, "I am so far off, that when your words get to me, they are as flat as dishwater."

"Mother," said a little boy the other day, "I've got such a bad headache and sore throat, too."

"Have you, my dear?" asked the mother; "well, you shall have some *medicine.*"

"It's no matter," retorted the shrewd urchin, "I've got 'em, *but they don't hurt me.*"

Lord Braxford was an eccentric Scotch Judge, with a bad-tempered wife. His butler determined to leave, because Lady Braxford was always scolding him.

"Why," exclaimed the old Judge, "ye've little to complain; ye may be thankful ye're no married to her!"

A well-known political economist says:

"We pay best, first, those who destroy us—generals; second, those who cheat us—politicians and quacks; third, those who amuse us—singers and musicians; and least of all, those who instruct us—authors, schoolmasters, and editors."

ONE'S MOTHER.—Around the idea of one's mother, the mind clings with fond affection. It is the first dear thought stamped upon our infant hearts, when soft and capable of receiving most profound impressions, and all the after feelings are more or less light in comparison. Our passions and our wilfulness may lead us from the object of our filial love; we may become wild, headstrong, and angry, at her counsels or opinion; but when death has stilled her monitory voice, and nothing but calm memory remains to recapitulate her good deeds, affection, like a flower beaten to the ground by a rude storm, raises up her head and smiles through her tears. Around the idea, as we have said, the mind clings with fond affection; and even when the earlier period of our loss forces memory to be silent, fancy takes the remembrance, and twines the image of our departed parent with a garland of graces, and beauties, and virtues, which we doubt not that she possessed.

There is a class of people who are always late. They are inevitably late to the cars, and they invariably have to jump for it if they are going upon a steamboat jaunt. Everything with these people is put off until the last moment, and then, if the plank is removed, they stand a capital chance of jumping overboard, in attempting to leap upon the deck after the paddle-wheels have commenced revolving. If the boat started an hour later, it would be all the same to them, for they would just as inevitably be behind time, and come up or down a little too late to take things cool and comfortable. These people have to stir their stumps or be left behind, when they have steamboats or railroad cars to deal with, but they are the bane of the existence of punctual persons with whom they have dealings, and who have no resource, but in the way of tapping upon a big bell or blowing a steam-whistle, to hurry up the delinquent, eleventh-hour men. One procrastinating man will derange the best-laid plans of hundreds, by failing to come up to time, and he wastes hours for others in his disregard for minutes.

There is nothing funnier in cockney vernacular than Jeames's letter, according to the veracious historian, Thackeray, when he is in doubt which to prefer of his two lady loves, Mary Hann or Hangelina. He writes: "There they stood together, them two young women. I don't know which is the ansomest; I couldn't elp comparing them; hand I couldn't elp comparing myself to a certain Hannimile, I've found it difficult to make a choice betwigst 2 Bundles of A."

EXTENSIVE AMOUNT OF SPECIE.—At the time the injunction was served on the Sanford Bank, Maine, says the *Bangor Whig,* they had safely stowed away in their vaults, in specie, the enormous sum of *four dollars and seventeen cents!* By the help of the cashier, the bank commissioners were able to count it accurately in less than three hours. We understand that short ninepences and fourpences constituted the bulk of the cash on hand. It is thought, however, that the property in the possession of the receivers will nearly or quite protect the bill-holders.

WASHINGTON, D. C.

THURSDAY, DECEMBER 10, 1857.

THE PRESIDENT'S MESSAGE.

The Message is inordinately long. As we predicted, the President declaims against the banking system, but advises no radical remedy for it. The constitutionality of State banks is admitted, and there is no hope of reform in their management, he assumes, except in State legislation. All that he says of the evils of banking has been much better said in the newspapers.

The Central American Question, after some discussion, is disposed of with the remark that Great Britain has lately made new overtures, in a friendly spirit, which are taken into consideration.

The tone of the Message towards Great Britain is civil, but towards France and Russia, cordial. As to Spain, there is the usual budget of grievances; and lo! the Amistad claim is urged upon Congress. Our other foreign relations are peaceful enough.

On the Kansas Question he reiterates the views expressed in his reply to the Silliman Letter. He expatiates on popular sovereignty, thinks the example set in Minnesota of voting on the Constitution a good one, took it for granted the Convention in Kansas would follow it, therefore instructed Governor Walker accordingly, thinks however the Kansas-Nebraska Act did not bind the Convention to submit the whole Constitution, rejoices that at last it decided to submit the only question at issue, hopes now the matter will be settled, and if the People of Kansas do not vote, the fault will be their own. The fundamental point of difference between himself and Walker he thus slurs over, and is totally silent as to the course of the Governor.

He proclaims his purpose to suppress the Mormon rebellion, and asks for four additional regiments.

He commits himself to the policy of a Pacific railroad, and rather favors a Southern route. Ten additional war steamers are recommended. He discourses against land speculation. He thinks it well enough at present to let the Tariff alone. Possibly a resort to Treasury notes may become necessary.

This is the sum and substance of the Message.

THE PRESIDENT'S MESSAGE IN THE SENATE.

Mr. Douglas, on the conclusion of the reading of the message in the Senate last Tuesday, took occasion, promptly and decidedly, to express his opposition to the President's position on the Kansas Question. Mr. Stuart, of Michigan, concurred with him. Mr. Trumbull quoted from Mr. Buchanan's speech on the Michigan Question, a passage flatly contradictory to his present views. Mr. Hale, Mr. Seward, and others, added a few remarks. Messrs. Brown and Davis of Mississippi, and Mr. Mason of Virginia, sustained the President, and were surprised at Mr. Douglas, who announced his purpose to speak at large the next day.

So the debate is opened, and the Lecompton Constitution bids fair to be a miracle of a healing measure—a wonderful quietus to agitation.

It is said that many Western Democrats will oppose it to the bitter end.

In the House, after the reading of the journal, Mr. Houston moved to proceed to the election of a Printer for the Thirty-fifth Congress; on which motion he demanded the previous question, which gave rise to considerable discussion.

The President's annual message was received and read from the Clerk's desk.

KANSAS AFFAIRS.

In an editorial, two weeks ago, we took the ground that the People of Kansas ought not to vote on the fraudulent question submitted to them, but call upon the Governor to convene an extra session of the Legislature, so that through that body they might give an authoritative expression of their views. Reports from Kansas say that Mr. Stanton, acting Governor, proposed to call an extra session, provided he could have an assurance that the Legislature would refrain from general legislation. Another report states that Governor Walker hesitated at such a step, because he was uncertain whether the new or old Legislature would meet under such a call. These reports are unsatisfactory.

The House of Representatives is elected for one year, and the Governor certainly ought to know when its term of service begins and expires. If it does not expire till the first of January ensuing, a simple statement of this fact would justify his refusal to call an extra session. But, if this be the fact, what are we to think of the report that the Acting Governor was willing to issue a call, provided there should be no general legislation?

Meantime, we are assured that Gov. Walker persists in his opposition to the action of the Lecompton Convention, and is determined to do all he can to defeat it. He thinks he will be sustained by a majority of the Democratic Party, and a majority of the People of the country.

The position of Mr. Douglas is a subject of various speculation. The Republicans may be assured of one fact—he will not act with them, or separate himself from his Party: but in his Party, his ambition is always to be a leader. If he do not sustain the course of Mr. Buchanan in relation to the Lecompton Constitution, he will endeavor so to manage his opposition as, while saving his interests with the Northern Democracy, he shall lose nothing with the Southern. His relations to the former constrain him to oppose the action of the Calhoun Convention, but there are many questions of equal if not greater interest to the Southern men, on which his co-operation with them may be all important.

It may be desirable to organize as a State New Mexico, which has elected a delegate on the Slavery issue, and which is believed by the Slave Power to be controlled by its supporters. It is desirable to organize two or three more Territories in the slaveholding section, as the germ of future States, Arizona and the Indian Territory among them. Now, suppose Mr. Douglas should embrace all these subjects in his programme, would the South take deadly offence at an act enabling the People of Kansas to form a State Constitution?

The People of Kansas thus far are acting wisely. They seem cool, but determined. We do not believe they will injure their cause by violence. The time for the last resort has not yet come. They have the numerical force; they have the Territorial Government; it is not certain that Congress will accept the Lecompton Constitution; the probabilities on the whole are against it: at all events, it cannot be forced through both Houses until after the first of January, the time fixed for the meeting of the new Kansas Legislature. The Free State men, therefore, have every reason to be calm, hopeful, and resolute. They will not vote at the election ordered on the 20th December; nor do we believe that they will resort to any violent measures to prevent it; but, we trust that they will appoint Committees of Vigilance at all the polls, and be out in full force, to *take notice exactly of what is done*, and to expose whatever fraudulent transactions may be attempted. The Legislature which will meet in January will of course take instant measures for apprising Congress of the will of the People, and proceed to prepare for the vindication of the People's rights. If Congress should reject the Lecompton Constitution, well and good. If not—if it should accept it, and the attempt be then made to cram it down the throats of the majority of the People of the Territory, we do not know what course the Legislature might adopt; but we do not believe that majority would submit to any such outrage, and no American who reveres the patriots of 1776 could condemn their resistance. The doctrines of passive obedience and non-resistance are fit only for slaves.

Prof. O. S. Fowler, widely known as a lecturer on phrenology and physiology, and practical delineator of character, is this winter on a professional tour through the South, and has arrived in this city. The course of lectures which he has commenced has been, thus far, largely attended, considering the conservative character of this community. We are gratified to note this fact, and we hope that he may continue to meet with liberal patronage.

PUT NOT YOUR TRUST IN—PRESIDENTS.

The letter-writers have had it for a week past that Governor Walker would be dismissed from office by President Buchanan; that he would not send in his name for the Senate to act upon. But the letter-writers are a very uncertain set of gentlemen, and their reports may be without sufficient foundation. It matters not; still, it becomes everybody, in view of the fate of Kansas Governors, not to put their trust in Presidents. What a dismal line of Democrats have fallen from political position upon Kansas soil! The Administration of Mr. Pierce found it impossible to get a man who would remain in Kansas and support the Pro-Slavery party of the Territory. To fit out a Governor for that "bloody ground," was equivalent to manufacturing a Republican.

Gov. Walker, if not exactly sacrificed, has already felt the cruelty of Presidential ingratitude and treachery. If we may believe the journalists of last spring, the Governor went to Kansas at the earnest solicitation of President Buchanan, and with instructions in his pocket. The people of the Territory were to be secured a fair election upon their Constitution. The Governor, upon the strength of his instructions, promised this, and now fulfils his promise, or attempts to do so, and returns to Washington to find his friend Mr. Buchanan in the arms of the Slavery Propagandists, refusing to allow the citizens of Kansas to choose themselves a Constitution, hand-in-glove with the Governor's bitterest enemies, and ready to dismiss him from office! Who will supersede Mr. Walker, should he not return to Kansas? Is there any Northern Democrat who has still any faith in the Administration? Is there one who wishes to "retire from public life?" If so, here is an eligible opportunity, unless the Border Ruffians get organized into a State immediately.

We doubt, in case Walker were superseded in office, whether his successor could be found off from a slave plantation, unless a member of the bogus Convention were to accept the office from the Administration. No gentleman, no man of any political position or of intelligence, would care to be made the football of a Democratic Cabinet. It would seem as if the startling fact that *all* the sober and intelligent officials sent out to Kansas have, in due time, sided with the Free State party, would open the eyes of Mr. Buchanan to the truth. How comes it that such men as Reeder, Geary, and Walker, turn with loathing from the Pro-Slavery party in Kansas? It is because that party has endeavored to triumph by frauds, mean, cunning violence—aye, by murder. And the Administration *persists* in shutting its eyes upon the truth.

The South will have injustice done, will not consent that the Free State men be treated fairly, and Mr. Buchanan must obey his master. Was he not elected for that purpose?

THE NEW YORK CITY ELECTION.

The most exciting municipal election of the year has just passed off in the city of New York. Republicans, Americans, and a wing of the Democracy, united upon one candidate, Daniel F. Tiemann, Esq., for Mayor, to defeat Fernando Wood. The ability of the latter-named gentleman is unquestioned, and he left no stone unturned to secure an election—but he was defeated by about 3,000 votes. The official vote is at the present writing not recorded. An exchange says:

"The total vote cast on Tuesday was 84,233, and, at the Mayor's election last year, 79,931. Increase this year, 4,302. The increase since the State election last month (when the Democrats carried the city by some 16,000 majority) is about 25,000 votes.

"The Democrats have elected 10 aldermen and 17 councilmen, and the opposition 7 aldermen and 7 councilmen. Of the police justices, the Democrats have 5 and the opposition 3; and of civil justices, the Democrats 3 and the opposition 4. The supervisors and governors of the almshouse are equally divided between Democrats and Republicans."

The New York *Courier* (Tiemann paper) says:

"Never was a local election held in this city which excited such a profound and all-absorbing interest, and was attended with so few breaches of the public peace, as that of Tuesday. The rowdies were awed into decency by the strong police force on hand at the several polls, and the liquor stores, in the majority of cases, were either closed, or manifested an outward acquiescence with the requirements of the law.

"The arrangements made by the police commissioners were on the most complete scale. Two regular patrolmen were stationed at each poll, and a squad of special policemen patrolled up and down in the vicinity. The commissioners and the deputy superintendent of police were on hand at the Broom street headquarters, in readiness to take prompt action upon any case of riot that might occur. Mr. Tallmadge took a carriage, and, in company with Senator Douglas and Governor Crittenden, rode through the principal parts of the city, and even to the furthest outskirts, and were gratified at the peace and good order which, with some trifling exceptions, was universally prevalent."

☞ Senator Douglas entered Washington last week, Wednesday evening, and was welcomed by the roar of artillery and the blazing of bonfires. The public is anxious to learn what will be his course upon the Kansas question. Will he stand by his doctrine of Popular Sovereignty, or will he back down before the frowns or blandishments of the Administration?

☞ N. R. Stimson, proprietor of the *N. Y. Day Book*, died suddenly in the cars, while on his way to his residence, one day last week. He was an unblushing advocate of Human Slavery, and put to shame many a Northern editor who, while acknowledging Slavery to be a grievous wrong, does all he can to uphold it.

The Louisville (Ky.) *Democrat* says, respecting the Kansas troubles:

"It is the duty of the Democratic party to settle the affairs of Kansas by the straightforward policy they have laid down and pledged themselves to. The people of Kansas are to fix their own institutions, and are to have a fair opportunity to do it. * * * It is unbecoming a great party to swerve from principle, from favor or resentment toward any party. It were infinitely better for the South to lose a dozen such States as Kansas, than to allow even a suspicion that she had countenanced any fraud or juggling for her benefit. * * * We are of opinion that the refusal to submit the Constitution entire to the popular vote will be fatal to its acceptance by Congress. * * * Kansas is not a State yet, and there is no sovereignty about the Convention. But if there was, the people are to settle the institutions of Kansas—not the people by a fiction of law, but the real people. * * * The Constitution is not submitted to the people, and no reason can be given for the omission, except the apprehension that it might be voted down. Will the other States run the risk of dragging a State into the Union that does not wish to come in on the conditions proposed? They cannot do it, and we may safely predict they will not do it."

Half the Democratic journals of the *free* States have less disposition to do justice to Kansas than this slave State press.

Mr. Sumner's Health.—Mr. Sumner has returned from Europe, as our readers are aware, and is in Washington. We clip the paragraph below, respecting his health, from the Boston Daily *Advertiser*:

"Mr. Sumner has gained very much by his travels, and his general health is all that can be desired. But we have been disappointed at learning that the injuries which he originally received still make themselves felt in a most important part of the system. The medical authorities in Europe and America, who have considered his case, concur that, with proper caution, his complete restoration is certain; but it will be the work of time, and may be entirely arrested by any premature exertion. The European authorities (among whom are some of the highest names of science) advised against his present return to the excitements of public action, and went so far as to say, in a written opinion which we have read, that he did it at the 'peril of life.' Mr. Sumner's medical adviser in Boston, who has carefully considered his case since his return, is unwilling that he should take his seat in Congress at the present session, except with the understanding that he shall content himself with the simplest discharge of his duties, without any active participation in the public business. And this opinion of his immediate adviser has the concurrence of other distinguished members of the profession."

EXTRA SESSION OF THE KANSAS LEGISLATURE.

The Kansas journals call loudly for an extra session of the recently-elected Legislature, to provide for the present emergency. Authority to call such a session is found in the thirtieth section of the organic act, and in the following words:

"*Provided*, That there shall be but one session of the Legislature annually, *unless*, on an *extraordinary occasion*, the Governor shall think proper to call the Legislature together."

The *Herald of Freedom* remarks:

"The 'extraordinary occasion' has certainly arrived, and no person will doubt the right or duty of the Governor to advise with the Legislature on a contingency like the present.

"But one of our cautious readers inquires—'If an extra session of the Legislative Assembly is now convened, would it not be the old one—the one which imposed this illegitimate Convention upon us?' We answer, not by any means. The 22d section of the organic act provides for the election of a Legislative Assembly at 'such time * * * as the Governor shall appoint and direct.' A preceding sentence of the same section provides that 'the term of service of the Council shall be two years,' and 'the term of service for a member of the House of Representatives shall continue one year.' The first election for these officers was held on the 30th of March, 1855, under Governor Reeder's proclamation. It follows that each Councilman's term of service expired on the 30th of March, 1857, and those elected to supersede them must have dated the commencement of their term of service back to the time when the others' term of service expired. Of course, then, each branch of the Legislative Assembly, just elected, dates back its term of office to the 10th of March last; and the House term will expire on the 30th of March next."

If, on the 1st of April next, Kansas remains a Territory, unless provision is made for an early election, it will be without a Legislature, according to this mode of reckoning.

INDEPENDENCE OF VOTING.

"It seems to us clearly the interest and the necessity of the majority of the People of Kansas to secure their independence of the Federal Government. Hitherto and now it is the power and the fear of the national authority which prevents them from taking the management of their own affairs into their own hands. Their first necessity is to get rid of this control; and this would be completely and effectually accomplished by their admission as a State into the Union. They would then have precisely the same control over their own affairs as the people of Massachusetts or Virginia have. They could summon a Convention, frame a Constitution, submit it to the popular vote, and carry it into effect within a month from the date of their admission, if they should see fit. This might be a revolution, but it would be a domestic, a peaceful, and a successful revolution. They would fight it out among themselves. The Federal Government could not interfere. So far as practical results go, the people of Kansas might obtain the sovereignty which has thus far been denied them, *in this way more speedily and effectually than in any other*. They could protest against the Constitution, proclaim their purpose to subvert and supersede it at the earliest moment possible, vote for the exclusion of Slavery, accede to the plan of admission, and then take the reins into their own hands, peaceably if they could, but forcibly if they must."—*N. Y. Times.*

The *Times* begs the question. *Can* the people of Kansas have a fair election under the Calhoun regency? With men who recently have been guilty of all manner of injustice and fraud, set to watch the ballot-boxes, and to declare the vote, what chance is there for the Free State men to make themselves heard? And what need of *voting?* If the *Times* is correct, and the people of Kansas can abolish their *bogus* Constitution one month after it has been adopted, they can do it as well with the Slavery clause in it, and without having voted for the balance of the document, on compulsion, as it were. We like much better than the above extract the following, which closes the article in the *Times*, from which we quote:

"We think it not at all unlikely that Senator Douglas, or some other prominent member of the Democratic party, will immediately upon the meeting of Congress submit an enabling act, authorizing the Territorial Legislature to summon a Constitutional Convention, and provide for the speedy admission of Kansas as a State. This would evade the whole difficulty, satisfy the rational and moderate portion of the whole country and bring this long and vexatious contest to a satisfactory conclusion. Unless some such course is taken, we see no way of avoiding the renewal of disturbances and collisions which have already done so much mischief, not only in Kansas, but in the country at large."

Flattery.—The Southern journals dislike very much the attitude of Senator Douglas on the Kansas question. It is generally understood that he endorses Walker, and disapproves the action of the Calhoun Convention. The *Star* of this city alludes to the interview between Mr. Douglas and the President in the following manner:

"It is understood that Senator Douglas spent some time yesterday in consultation with the President upon the subject of the Kansas imbroglio. Of course, the city is full of rumors with reference to their conversation and its result, few of which deserve confidence. Many of them, originating with the Opposition, are designed for no other purpose than to embarrass and sow the seeds of distrust in the Democratic ranks, by creating the belief that Democratic harmony this winter is a matter of impossibility.

"Senator Douglas is among the most tried statesmen of the party, though so young in age. In the course of his long public service, he has never been found wanting whenever the interests of Democratic principles were in jeopardy. His enlarged experience and powerful devotion to the good cause, through good and evil report, must of course assure all that he will not be found, as many of these reports allege, taking ground which may throw him in opposition to the position of those with whom he has so long acted; and more especially upon the insufficient information concerning the present shape of the Kansas imbroglio as yet before the members of Congress here assembled; which information is not, in itself, sufficient to justify any fixed plan of action with reference to details."

This is certainly a most beseeching appeal to the Senator—and one that he may heed. For the sake of "the good cause," he may consent to trample upon the principles of the bill originated by himself—who knows?

It is reported that Russia has issued a decree prohibiting American whalers from her waters. If true, it will inflict a serious blow upon the whaling business of the country.

The intelligence of the rekindling of a fierce war between Nicaragua and Costa Rica is confirmed. The treaty which the United States Government has lately made with Nicaragua will no doubt be ratified by the latter State, and will encourage and support her in the position she has assumed. The treaty has, by this time, reached the Government of Nicaragua. It will no doubt be made the subject of bitter complaint by Costa Rica, as it denies her assumed right to jurisdiction over the San Juan river and the control of the transit.

☞ An attempt was made to detain a fugitive slave in New York, last week. He had escaped from Georgia on board of a steamer; but as the vessel was loading, the police arrested him, and confined him in a house in Brooklyn, with the intention of sending him back to Georgia by steamer. Fortunately, an *attaché* of the *Independent* got wind of the matter; he was brought on a writ of *habeas corpus* before Judge Culver, and set free, and is now in Canada. His kidnappers will be prosecuted.

The new Washington city post office will be opened in a few days. It is a beautiful building.

The people of Kansas were to have held a delegated Convention on the 2d instant, to consider what measures to take in this crisis of their public affairs to secure their liberties.

The Review.

Blackwood's Magazine. New York: Leonard Scott & Co. For sale by Taylor & Maury, Washington, D. C.

The November number of *Blackwood* contains the conclusion of "Janet's Repentance;" a story which has been through several numbers; the continuation of Bulwer's tale; a readable article, entitled, "Notes Upon the Isthmus of Panama;" another on Military Education, two upon India, and an epistle to Iraneus, from Tiepolemus. The last-mentioned is racily written, though the author is doubtless a fogy of the most respectable kind. He looks with horror upon the passage of the divorce bill by Parliament. We presume he would take the same ground as the London Quarterly—that of Bibical opposition to *all* divorces. Unfortunately for these conservatives, Parliament or the House of Lords has always granted divorces to those who had enough wealth and influence, and the bill passed only gives the middle and poorer classes the same privilege.

The Knickerbocker Magazine. New York: Fetridge & Company.

The December number of "Knick" is of the usual quality—racy, sprightly, humorous, and interesting. The Editor's Table is full of good things.

Since the issue of the November number, the publisher, Samuel Hueston, has deceased. He was an upright, honorable man, and will be missed among the wide circle of his friends.

THIRTY-FIFTH CONGRESS,

FIRST SESSION.

Monday, December 7, 1857.

SENATE.

The Senate met at 12 o'clock, and was called to order by the Secretary. The Secretary read a letter from the Vice President, in which he stated that he would be unable to attend at the commencement of the session.

On motion of Mr. Allen, the Senate then proceeded to ballot for a President *pro tempore*, which resulted as follows:

Hon. Benjamin Fitzpatrick	28
Hon. Hannibal Hamlin	19
Hon. William H. Seward	1

So Mr. Fitzpatrick was announced duly elected, and being conducted to the chair, made a few appropriate remarks.

The usual resolutions, directing the Secretary to inform the House of Representatives and the President of the organization of the Senate, were adopted; also, a resolution fixing the daily hour of meeting at 12 o'clock. After a short executive session, the Senate adjourned.

HOUSE.

The House was called to order by Gen. Cullom, Clerk of the last House.

Upon a call of the House, 221 of the 234 members answered to their names.

On motion of Mr. Phelps, it was unanimously agreed that a Speaker should be chosen by a *viva voce* vote.

Mr. Jones, of Tennessee, nominated Col. Orr, of South Carolina.

Mr. Banks nominated Hon. Galusha A. Grow, of Pennsylvania.

Messrs. Banks, Clingman, Morris, and Jones, were appointed tellers.

The result of the vote was as follows:

Mr. Orr	128
Mr. Grow	84
Mr. Blair	1
Mr. L. D. Campbell	3
Mr. Horton	1
Mr. Zollicoffer	3
Mr. Davis	2
Mr. Ricaud	2
Mr. Marshall	1

Mr. Orr's remarks, on taking the chair, were brief and appropriate.

The oath of office was administered to the Speaker by Mr. Giddings, and to the members of the House by the Speaker.

On motion of Mr. Clingman, the rules and orders of the last House were adopted, until otherwise ordered, as the rules and orders of this House, with an amendment, that any committee entitled to make reports during the morning hour, shall not occupy the floor for that purpose more than two days.

Messages were ordered to be sent to the President and Senate, to notify them of the organization of the House.

A *viva voce* vote was then taken for Clerk, with the following result:

For James C. Allen, of Illinois	128
For B. Gratz Brown, of Missouri	85
For Gen. Cullom	2
For Mr. Sullivan	4

Mr. Glossbrenner was re-elected Sergeant-at-arms by a *viva voce* vote, receiving 133 votes, against 82 for C. P. Babcock. There were no scattering votes.

Mr. Hackney, of Virginia, was elected Doorkeeper by a *viva voce* vote, receiving 128 votes, against 78 for Mr. Darling. There were no scattering votes.

Mr. Stephens, of Georgia, offered a resolution, that Mr. Cluskey be appointed Postmaster of the House, which was agreed to.

Mr. Florence gave notice of his intention to introduce a bill for the suppression of all bank notes of a less denomination than $100 as a circulating medium in the District of Columbia.

The House adjourned, to meet again to-day at twelve o'clock.

It is a mile and a half from the northern end of the Navy Yard bridge to the Capitol, a mile and a half from the Capitol to the Executive Mansion, and a mile and a half from the Executive Mansion to the corner of High and Bridge streets, Georgetown. Pedestrians who wish to ascertain what "time" they can make, will find it exactly one mile from the Capitol to Eleventh street, two miles to Twentieth street, and three miles to the corner of Bridge and High streets, Georgetown.

PRESIDENT'S MESSAGE.

Fellow-citizens of the Senate
and House of Representatives:

In obedience to the command of the Constitution, it has now become my duty "to give to Congress information of the state of the Union, and recommend to their consideration such measures" as I judge to be "necessary and expedient."

But first, and above all, our thanks are due to Almighty God, for the numerous benefits which He has bestowed upon this people; and our united prayers ought to ascend to Him, that He would continue to bless our great Republic in time to come as He has blessed it in time past. Since the adjournment of the last Congress, our constituents have enjoyed an unusual degree of health. The earth has yielded her fruits abundantly, and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth, we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want. The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, whilst the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances, a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune, when compared with the suffering and distress prevailing among the people. With this the Government cannot fail deeply to sympathize, though it may be without the power to extend relief.

It is our duty to inquire what has produced such unfortunate results, and whether their recurrence can be prevented? In all former revulsions, the blame might have been fairly attributed to a variety of co-operating causes; but not so upon the present occasion. It is apparent that our existing misfortunes have proceeded solely from our extravagant and vicious system of paper currency and bank credits, exciting the people to wild speculations and gambling in stocks. These revulsions must continue to recur at successive intervals, so long as the amount of the paper currency and bank loans and discounts of the country shall be left to the discretion of fourteen hundred irresponsible banking institutions, which from the very law of their nature will consult the interest of their stockholders rather than the public welfare.

The framers of the Constitution, when they gave to Congress the power "to coin money and to regulate the value thereof," and prohibited the States from coining money, emitting bills of credit, or making anything but gold and silver coin a tender in payment of debts, supposed they had protected the people against the evils of an excessive and irredeemable paper currency. They are not responsible for the existing anomaly, that a Government endowed with the sovereign attribute of coining money and regulating the value thereof should have no power to prevent others from driving this coin out of the country, and filling up the channels of circulation with paper which does not represent gold and silver.

It is one of the highest and most responsible duties of Government, to insure to the people a sound circulating medium, the amount of which ought to be adapted with the utmost possible wisdom and skill to the wants of internal trade and foreign exchanges. If this be either greatly above or greatly below the proper standard, the marketable value of every man's property is increased or diminished in the same proportion, and injustice to individuals as well as incalculable evils to the community are the consequence.

Unfortunately, under the construction of the Federal Constitution which has now prevailed too long to be changed, this important and delicate duty has been dissevered from the coining power, and virtually transferred to more than fourteen hundred State banks, acting independently of each other, and regulating their paper issues almost exclusively by a regard to the present interest of their stockholders. Exercising the sovereign power of providing a paper currency, instead of coin, for the country, the first duty which these banks owe to the public is to keep in their vaults a sufficient amount of gold and silver to insure the convertibility of their notes into coin at all times and under all circumstances. No bank ought ever to be chartered without such restrictions on its business as to secure this result. All other restrictions are comparatively vain. This is the only true touchstone, the only efficient regulator of a paper currency—the only one which can guard the public against over-issues and bank suspensions. As a collateral and eventual security, it is doubtless wise, and in all cases ought to be required, that banks shall hold an amount of United States or State securities equal to their notes in circulation, and pledged for their redemption. This, however, furnishes no adequate security against over-issues. On the contrary, it may be perverted to inflate the currency. Indeed, it is impossible by this means to convert all the debts of the United States and State Governments into bank notes, without reference to the specie required to redeem them. However valuable these securities may be in themselves, they cannot be converted into gold and silver at the moment of pressure, as our experience teaches, in sufficient time to prevent bank suspensions and the depreciation of bank notes. In England, which is to a considerable extent a paper-money country, though vastly behind our own in this respect, it was deemed advisable, anterior to the act of Parliament of 1844, which wisely separated the issue of notes from the banking department, for the Bank of England always to keep on hand gold and silver equal to one-third of its combined circulation and deposites. If this proportion was no more than sufficient to secure the convertibility of its notes, with the whole of Great Britain, and to some extent the continent of Europe, as a field for its circulation, rendering it almost impossible that a sudden and immediate run to a dangerous amount should be made upon it, the same proportion would certainly be insufficient under our banking system. Each of our fourteen hundred banks has but a limited circumference for its circulation, and in the course of a very few days the depositors and note-holders might demand from such a bank a sufficient amount in specie to compel it to suspend, even although it had coin in its vaults equal to one-third of its immediate liabilities. And yet I am not aware, with the exception of the banks of Louisiana, that any State bank throughout the Union has been required by its charter to keep this or any other proportion of gold and silver, compared with the amount of its combined circulation and deposites. What has been the consequence? The recent report made by the Treasury Department on the condition of the banks throughout the different States, according to returns dated nearest to January, 1857, the aggregate amount of actual specie in their vaults is $58,349,838, of their circulation $214,778,822, and of their deposites $230,351,352. Thus it appears that these banks in the aggregate have considerably less than one dollar in seven of gold and silver, compared with their circulation and deposites. It was palpable, therefore, that the very first pressure must drive them to suspension, and deprive the people of a convertible currency, with all its disastrous consequences. It is truly wonderful that they should have so long continued to preserve their credit, when a demand for the payment of one-seventh of their immediate liabilities would have driven them into insolvency. And this is the condition of the banks, notwithstanding that four hundred millions of gold from California have flowed in upon us within the last eight years, and the tide still continues to flow. Indeed, such has been the extravagance of bank credits, that the banks now hold a considerably less amount of specie, either in proportion to their capital, or to their circulation and deposites combined, than they did before the discovery of gold in California. Whilst in the year 1848 their specie in proportion to their capital was more than equal to one dollar for four and a half, in 1857 it does not amount to one dollar for every six dollars and thirty-three cents of their capital. In the year 1848 the specie was equal, within a very small fraction, to one dollar in five of their circulation and deposites; in 1857 it is not equal to one dollar in seven and a half of their circulation and deposites.

From this statement, it is easy to account for our financial history for the last forty years. It has been a history of extravagant expansions in the business of the country, followed by ruinous contractions. At successive intervals, the best and most enterprising men have been tempted to their ruin by excessive bank loans of mere paper credit, exciting them to extravagant importations of foreign goods, wild speculations, and ruinous and demoralizing stock-gambling. When the crisis arrives, (as arrive it must,) the banks can extend no relief to the people. In a vain struggle to redeem their liabilities in specie, they are compelled to contract their loans and their issues; and at last, in the hour of distress, when their assistance is most needed, they and their debtors together sink into insolvency.

It is this paper system of extravagant expansion, raising the nominal price of every article far beyond its real value, when compared with the cost of similar articles in countries whose circulation is wisely regulated, which has prevented us from competing in our own markets with foreign manufacturers, has produced extravagant importations, and has counteracted the effect of the large incidental protection afforded to our domestic manufactures by the present revenue tariff. But for this, the branches of our manufactures composed of raw materials, the production of our own country—such as cotton, iron, and woollen fabrics—would not only have acquired almost exclusive possession of the home market, but would have created for themselves a foreign market throughout the world.

Deplorable, however, as may be our present financial condition, we may yet indulge in bright hopes for the future. No other nation has ever existed, which could have endured such violent expansions and contractions of paper credits, without lasting injury; yet the buoyancy of youth, the energies of our population, and the spirit which never quails before difficulties, will enable us soon to recover from our present financial embarrassment, and may even occasion us speedily to forget the lesson which they have taught.

In the mean time, it is the duty of the Government, by all proper means within its power, to aid in alleviating the sufferings of the people occasioned by the suspension of the banks, and to provide against the recurrence of the same calamity. Unfortunately, in either aspect of the case, it can do but little. Thanks to the independent Treasury, the Government has not suspended payment, as it was compelled to do by the failure of the banks in 1837. It will continue to discharge its liabilities to the people in gold and silver. Its disbursements in coin will pass into circulation, and materially assist in restoring a sound currency. From its high credit, should we be compelled to make a temporary loan, it can be effected on advantageous terms. This, however, shall, if possible, be avoided; but, if not, then the amount shall be limited to the lowest practicable sum.

I have therefore determined that, whilst no useful Government works already in progress shall be suspended, new works, not already commenced, will be postponed, if this can be done without injury to the country. Those necessary for its defence shall proceed as though there had been no crisis in our monetary affairs.

But the Federal Government cannot do much to provide against a recurrence of existing evils. Even if insurmountable constitutional objections did not exist against the creation of a National Bank, this would furnish no adequate preventive security. The history of the last Bank of the United States abundantly proves the truth of this assertion. Such a bank could not, if it would, regulate the issues and credits of fourteen hundred State banks in such a manner as to prevent the ruinous expansions and contractions in our currency which afflicted the country throughout the existence of the late bank, or secure us against future suspensions. In 1825, an effort was made by the Bank of England to curtail the issues of the country banks, under the most favorable circumstances. The paper currency had been expanded to a ruinous extent, and the Bank put forth all its power to contract it, in order to reduce prices, and restore the equilibrium of the foreign exchanges. It accordingly commenced a system of curtailment of its loans and issues, in the vain hope that the joint stock and private banks of the Kingdom would be compelled to follow its example. It found, however, that as it contracted they expanded, and at the end of the process, to employ the language of a very high official authority, "whatever reduction of the paper circulation was effected by the Bank of England (in 1825) was more than made up by the issues of the country banks."

But a Bank of the United States would not, if it could, restrain the issues and loans of the State banks, because its duty as a regulator of the currency must often be in direct conflict with the immediate interest of its stockholders. If we expect one agent to restrain or control another, their interests must, at least in some degree, be antagonistic. But the directors of a Bank of the United States would feel the same interest and the same inclination with the directors of the State banks to expand the currency, to accommodate their favorites and friends with loans, and to declare large dividends. Such has been our experience in regard to the last bank.

After all, we must mainly rely upon the patriotism and wisdom of the States for the prevention and redress of the evil. If they will afford us a real specie basis for our paper circulation by increasing the denomination of bank notes, first to twenty, and afterwards to fifty dollars; if they will require that the banks shall at all times keep on hand at least one dollar of gold and silver for every three dollars of their circulation and deposites; and if they will provide by a self-executing enactment, which nothing can arrest, that the moment they suspend they shall go into liquidation, I believe that such provisions, with a weekly publication by each bank of a statement of its condition, would go far to secure us against future suspensions of specie payments.

Congress, in my opinion, possess the power to pass a uniform bankrupt law applicable to all banking institutions throughout the United States, and I strongly recommend its exercise. This would make it the irreversible organic law of each bank's existence, that a suspension of specie payments shall produce its civil death. The instinct of self-preservation would then compel it to perform its duties in such a manner as to escape the penalty and preserve its life.

The existence of banks and the circulation of bank paper are so identified with the habits of our people, that they cannot at this day be suddenly abolished, without much immediate injury to the country. If we could confine them to their appropriate sphere, and prevent them from administering to the spirit of wild and reckless speculation by extravagant loans and issues, they might be continued with advantage to the public.

But this I say, after long and much reflection, if experience shall prove it to be impossible to enjoy the facilities which well-regulated banks might afford, without at the same time suffering the calamities which the excesses of the banks have hitherto inflicted upon the country, it would then be far the lesser evil to deprive them altogether of the power to issue a paper currency, and confine them to the functions of banks of deposit and discount.

Our relations with foreign Governments are, upon the whole, in a satisfactory condition.

The diplomatic difficulties which existed between the Government of the United States and that of Great Britain, at the adjournment of the last Congress, have been happily terminated by the appointment of a British Minister to this country, who has been cordially received.

Whilst it is greatly to the interest, as I am convinced it is the sincere desire, of the Governments and people of the two countries, to be on terms of intimate friendship with each other, it has been our misfortune almost always to have had some irritating, if not dangerous, outstanding question with Great Britain.

Since the origin of the Government, we have been employed in negotiating treaties with that Power, and afterwards in discussing their true intent and meaning. In this respect, the convention of April 19, 1850, commonly called the Clayton and Bulwer treaty, has been the most unfortunate of all; because the two Governments place directly opposite and contradictory constructions upon its first and most important article. Whilst, in the United States, we believe that this treaty would place both Powers upon an exact equality, by the stipulation that neither will ever "occupy, or fortify, or colonize, or assume or exercise any dominion" over, any part of Central America, it is contended by the British Government that the true construction of this language has left them in the rightful possession of all that portion of Central America which was in their occupancy at the date of the treaty; in fact, that the treaty is a virtual recognition on the part of the United States of the right of Great Britain, either as owner or protector, to the whole extensive coast of Central America, sweeping round from the Rio Hondo to the port and harbor of San Juan de Nicaragua, together with the adjacent Bay Islands, except the comparatively small portion of this between the Sarstoon and Cape Honduras. According to their construction, the treaty does no more than simply prohibit them from extending their possessions in Central America beyond the present limits. It is not too much to assert, that if in the United States the treaty had been considered susceptible of such a construction, it never would have been negotiated under the authority of the President, nor would it have received the approbation of the Senate. The universal conviction in the United States was, that when our Government consented to violate its traditional and time-honored policy, and to stipulate with a foreign Government never to occupy or acquire territory in the Central American portion of our own Continent, the consideration for this sacrifice was, that Great Britain should, in this respect at least, be placed in the same position with ourselves. Whilst we have no right to doubt the sincerity of the British Government in their construction of the treaty, it is at the same time my deliberate conviction, that this construction is in opposition both to its letter and its spirit.

Under the late Administration, negotiations were instituted between the two Governments, for the purpose, if possible, of removing these difficulties; and a treaty, having this laudable object in view, was signed at London, on the 17th October, 1856, and was submitted by the President to the Senate on the following 10th of December. Whether this treaty, either in its original or amended form, would have accomplished the object intended, without giving birth to new and embarrassing complications between the two Governments, may perhaps be well questioned. Certain it is, however, it was rendered much less objectionable by the different amendments made to it by the Senate. The treaty, as amended, was ratified by me on the 12th March, 1857, and was transmitted to London for ratification by the British Government. That Government expressed its willingness to concur in all the amendments made by the Senate, with the single exception of the clause relating to Ruatan and the other islands in the Bay of Honduras. The article in the original treaty, as submitted to the Senate, after reciting that these islands and their inhabitants "having been by a convention, bearing date the 27th day of August, 1856, between her Britannic Majesty and the Republic of Honduras, constituted and declared a free territory under the sovereignty of the said Republic of Honduras," stipulated that "the two contracting parties do hereby mutually engage to recognise and respect, in all future time, the independence and rights of the said free territory, as a part of the Republic of Honduras."

Upon an examination of this convention between Great Britain and Honduras of the 27th August, 1856, it was found that, whilst declaring the Bay Islands to be "a free territory under the sovereignty of the Republic of Honduras," it deprived that Republic of rights, without which its sovereignty over them could scarcely be said to exist. It divided them from the remainder of Honduras, and gave to their inhabitants a separate Government of their own, with legislative, executive, and judicial officers, elected by themselves. It deprived the Government of Honduras of the taxing power in every form, and exempted the people of the islands from the performance of military duty except for their own exclusive defence. It also prohibited that Republic from erecting fortifications upon them for their protection—thus leaving them open to invasion from any quarter; and, finally, it provided "that Slavery shall not at any time hereafter be permitted to exist therein."

Had Honduras ratified this convention, she would have ratified the establishment of a State substantially independent within her own limits, and a State at all times subject to British influence and control. Moreover, had the United States ratified the treaty with Great Britain in its original form, we should have been bound "to recognise and respect in all future time" these stipulations, to the prejudice of Honduras. Being in direct opposition to the spirit and meaning of the Clayton and Bulwer treaty, as understood in the United States, the Senate rejected the entire clause, and substituted in its stead a simple recognition of the sovereign right of Honduras to these islands in the following language: "The two contracting parties do hereby mutually engage to recognise and respect the islands of Ruatan, Bonaco, Utila, Barbaretta, Helena, and Morat, situate in the Bay of Honduras, and off the coast of the Republic of Honduras, as under the sovereignty and as part of the said Republic of Honduras."

Great Britain rejected this amendment, assigning as the only reason, that the ratifications of the convention of the 27th August, 1856, between her and Honduras, had not been "exchanged, owing to the hesitation of that Government." Had this been done, it is stated that "Her Majesty's Government would have had little difficulty in agreeing to the modification proposed by the Senate, which then would have had in effect the same signification as the original wording." Whether this would have been the effect; whether the mere circumstance of the exchange of the ratifications of the British convention with Honduras, prior in point of time to the ratification of our treaty with Great Britain, would, "in effect," have had "the same signification as the original wording," and thus have nullified the amendment of the Senate, may well be doubted. It is, perhaps, fortunate that the question has never arisen.

The British Government, immediately after rejecting the treaty as amended, proposed to enter into a new treaty with the United States, similar in all respects to the treaty which they had just refused to ratify, if the United States would consent to add to the Senate's clear and unqualified recognition of the sovereignty of Honduras over the Bay Islands the following conditional stipulation: "Whenever and so soon as the Republic of Honduras shall have concluded and ratified a treaty with Great Britain, by which Great Britain shall have ceded, and the Republic of Honduras shall have accepted, the said islands, subject to the provisions and conditions contained in such treaty."

This proposition was, of course, rejected. After the Senate had refused to recognise the British convention with Honduras of the 27th August, 1856, with full knowledge of its contents, it was impossible for me, necessarily ignorant of "the provisions and conditions" which might be contained in a future convention between the same parties, to sanction them in advance.

The fact is, that when two nations like Great Britain and the United States, mutually desirous, as they are, and I trust ever may be, of maintaining the most friendly relations with each other, have unfortunately concluded a treaty which they understand in senses directly opposite, the wisest course is to abrogate such a treaty by mutual consent, and to commence anew. Had this been done promptly, all difficulties in Central America would most probably, ere this, have been adjusted to the satisfaction of both parties. The time spent in discussing the meaning of the Clayton and Bulwer treaty would have been devoted to this praiseworthy purpose, and the task would have been the more easily accomplished, because the interest of the two countries in Central America is identical, being confined to securing safe transits over all the routes across the Isthmus.

Whilst entertaining these sentiments, I shall, nevertheless, not refuse to contribute to any reasonable adjustment of the Central American questions which is not practically inconsistent with the American interpretation of the treaty. Overtures for this purpose have been recently made by the British Government in a friendly spirit, which I cordially reciprocate; but whether this renewed effort will result in success, I am not yet prepared to express an opinion. A brief period will determine.

With France, our ancient relations of friendship still continue to exist. The French Government have in several recent instances, which need not be enumerated, evinced a spirit of good will and kindness towards our country which I heartily reciprocate. It is, notwithstanding, much to be regretted that two nations whose productions are of such a character as to invite the most extensive exchanges and freest commercial intercourse, should continue to enforce ancient and obsolete restrictions of trade against each other. Our commercial treaty with France is, in this respect, an exception from our treaties with all other commercial nations. It jealously levies discriminating duties both on tonnage and on articles, the growth, produce, or manufacture of the one country, when arriving in vessels belonging to the other.

More than forty years ago, on the 3d March, 1815, Congress passed an act, offering to all nations to admit their vessels laden with their national productions into the ports of the United States, upon the same terms with our own vessels, provided they would reciprocate to us similar advantages. This act confined the reciprocity to the productions of the respective foreign nations who might enter into the proposed arrangement with the United States. The act of May 24, 1828, removed this restriction, and offered a similar reciprocity to all such vessels, without reference to the origin of their cargoes. Upon these principles our commercial treaties and arrangements have been founded, except with France; and let us hope that this exception may not long exist.

Our relations with Russia remain, as they have ever been, on the most friendly footing. The present Emperor, as well as his predecessors, have never failed, when the occasion offered, to manifest their good will to our country; and their friendship has always been highly appreciated by the Government and people of the United States.

With all other European Governments, except that of Spain, our relations are as peaceful as we could desire. I regret to say that no progress whatever has been made, since the adjournment of Congress, towards the settlement of any of the numerous claims of our citizens against the Spanish Government. Besides, the outrage committed on our flag by the Spanish war frigate Ferrolana, on the high seas, off the coast of Cuba, in March, 1855, by firing into the American mail steamer El Dorado, and detaining and searching her, remains unacknowledged and unredressed. The general tone and temper of the Spanish Government towards that of the United States are much to be regretted. Our present Envoy Extraordinary and Minister Plenipotentiary to Madrid has asked to be recalled; and it is my purpose to send out a new Minister to Spain, with special instructions on all questions pending between the two Governments, and with a determination to have them speedily and amicably adjusted, if this be possible. In the mean time, whenever our Minister urges the just claims of our citizens on the notice of the Spanish Government, he is met with the objection that Congress have never made the appropriation recommended by President Polk in his annual message of December, 1847, "to be paid to the Spanish Government for the purpose of distribution among the claimants in the Amistad case." A similar recommendation was made by my immediate predecessor, in his message of December, 1853; and entirely concurring with both in the opinion that this indemnity is justly due, under the treaty with Spain of the 27th October, 1795, I earnestly recommend such an appropriation to the favorable consideration of Congress.

A treaty of friendship and commerce was concluded at Constantinople on the 13th December, 1856, between the United States and Persia, the ratifications of which were exchanged at Constantinople on the 13th June, 1857, and the treaty was proclaimed by the President on the 18th August, 1857. This treaty, it is believed, will prove beneficial to American commerce. The Shah has manifested an earnest disposition to cultivate friendly relations with our country, and has expressed a strong wish that we should be represented at Teheran by a Minister Plenipotentiary; and I recommend that an appropriation be made for this purpose.

Recent occurrences in China have been unfavorable to a revision of the treaty with that empire of the 3d July, 1844, with a view to the security and extension of our commerce. The 24th article of this treaty stipulated for a revision of it, in case experience should prove this to be requisite; "in which case, the two Governments will, at the expiration of twelve years from the date of said convention, treat amicably concerning the same, by means of suitable persons appointed to conduct such negotiations." These twelve years expired on the 3d July, 1856; but long before that period, it was ascertained that important changes in the treaty were necessary; and several fruitless attempts were made by the Commissioner of the United States to effect these changes. Another effort was about to be made for the same purpose by our Commissioner, in conjunction with the Ministers of England and France; but this was suspended by the occurrence of hostilities in the Canton river, between Great Britain and the Chinese Empire. These hostilities have necessarily interrupted the trade of all nations with Canton, which is now in a state of blockade, and have occasioned a serious loss of life and property. Meanwhile, the insurrection within the empire against the existing Imperial dynasty still continues, and it is difficult to anticipate what will be the result.

Under these circumstances, I have deemed it advisable to appoint a distinguished citizen of Pennsylvania Envoy Extraordinary and Minister Plenipotentiary, to proceed to China, and to avail himself of any opportunities which may offer to effect changes in the existing treaty, favorable to American commerce. He left the United States for the place of his destination in July last, in the war steamer Minnesota. Special Ministers to China have also been appointed by the Governments of Great Britain and France.

Whilst our Minister has been instructed to occupy a neutral position in reference to the existing hostilities at Canton, he will cordially co-operate with the British and French Ministers in all peaceful measures to secure by treaty stipulations those just concessions to commerce which the nations of the world have a right to expect, and which China cannot long be permitted to withhold. From assurances received, I entertain no doubt that the three Ministers will act in harmonious concert to obtain similar commercial treaties for each of the Powers they represent.

We cannot fail to feel a deep interest in all that concerns the welfare of the independent Republics on our own continent, as well as of the empire of Brazil.

Our difficulties with New Granada, which a short time since bore so threatening an aspect, are, it is to be hoped, in a fair train of settlement, in a manner just and honorable to both parties.

The Isthmus of Central America, including that of Panama, is the great highway between the Atlantic and Pacific, over which a large portion of the commerce of the world is destined to pass. The United States are more deeply interested than any other nation in preserving the freedom and security of all the communications across this Isthmus. It is our duty, therefore, to take care that they shall not be interrupted, either by invasions from our own country, or by wars between the independent States of Central America. Under our treaty with New Granada of the 12th December, 1846, we are bound to guaranty the neutrality of the Isthmus of Panama, through which the Panama railroad passes, "as well as the rights of sovereignty and property which New Granada has and possesses over the said territory." This obligation is founded upon equivalents granted by the treaty to the Government and people of the United States.

Under these circumstances, I recommend to Congress the passage of an act authorizing the President, in case of necessity, to employ the land and naval forces of the United States to carry into effect this guarantee of neutrality and protection. I also recommend similar legislation for the security of any other route across the Isthmus in which we may acquire an interest by treaty.

With the independent Republics on this continent, it is both our duty and our interest to cultivate the most friendly relations. We can never feel indifferent to their fate, and must always rejoice in their prosperity. Unfortunately, both for them and for us, our example and advice have lost much of their influence, in consequence of the lawless expeditions which have been fitted out against some of them within the limits of our country. Nothing is better calculated to retard our steady material progress, or impair our character as a nation, than the toleration of such enterprises in violation of the law of nations.

It is one of the first and highest duties of any independent State, in its relations with the members of the great family of nations, to restrain its people from acts of hostile aggression against their citizens or subjects. The most eminent writers on public law do not hesitate to denounce such hostile acts as robbery and murder.

Weak and feeble States, like those of Central America, may not feel themselves able to assert and vindicate their rights. The case would be far different, if expeditions were set on foot within our own territories, to make private war against a powerful nation. If such expeditions were fitted out from abroad against any portion of our own country, to burn down our cities, murder and plunder our people, and usurp our Government, we should call any

Power on earth to the strictest account for not preventing such enormities.

Ever since the Administration of General Washington, acts of Congress have been in force to punish severely the crime of setting on foot a military expedition within the limits of the United States, to proceed from thence against a nation or State with whom we are at peace. The present neutrality act of April 20th, 1818, is but little more than a collection of pre-existing laws. Under this act, the President is empowered to employ the land and naval forces and the militia, "for the purpose of preventing the carrying on of any such expedition or enterprise from the territories and jurisdiction of the United States," and the collectors of customs are authorized and required to detain any vessel in port, when there is reason to believe she is about to take part in such lawless enterprises.

When it was first rendered probable that an attempt would be made to get up another unlawful expedition against Nicaragua, the Secretary of State issued instructions to the Marshals and District Attorneys, which were directed by the Secretaries of War and the Navy to the appropriate army and navy officers, requiring them to be vigilant, and to use their best exertions in carrying into effect the provisions of the act of 1818. Notwithstanding these precautions, the expedition has escaped from our shores. Such enterprises can do no possible good to the country, but have already inflicted much injury both on its interests and its character. They have prevented peaceful emigration from the United States to the States of Central America, which could not fail to prove highly beneficial to all the parties concerned. In a pecuniary point of view alone, our citizens have sustained heavy losses from the seizure and closing of the transit route by the San Juan between the two oceans.

The leader of the recent expedition was arrested at New Orleans, but was discharged, on giving bail for his appearance in the insufficient sum of two thousand dollars.

I commend the whole subject to the serious attention of Congress, believing that our duty and our interest, as well as our national character, require that we should adopt such measures as will be effectual in restraining our citizens from committing such outrages.

I regret to inform you that the President of Paraguay has refused to ratify the treaty between the United States and that State, as amended by the Senate, the signature of which was mentioned in the message of my predecessor to Congress, at the opening of its session in December, 1853. The reasons assigned for this refusal will appear in the correspondence herewith submitted.

It being desirable to ascertain the fitness of the river La Plata and its tributaries for navigation by steam, the United States steamer Water Witch was sent thither for that purpose in 1853. This enterprise was successfully carried on until February, 1855, when, whilst in the peaceful prosecution of her voyage up the Parana river, the steamer was fired upon by a Paraguayan fort. The fire was returned; but as the Water Witch was of small force, and not designed for offensive operations, she retired from the conflict. The pretext upon which the attack was made was a decree of the President of Paraguay, of October, 1854, prohibiting foreign vessels of war from navigating the rivers of that State. As Paraguay, however, was the owner of but one bank of the river of that name, the other belonging to Corrientes, a State of the Argentine Confederation, the right of its Government to expect that such a decree would be obeyed cannot be acknowledged. But the Water Witch was not, properly speaking, a vessel of war. She was a small steamer, engaged in a scientific enterprise intended for the advantage of commercial States generally. Under these circumstances, I am constrained to consider the attack upon her as unjustifiable, and as calling for satisfaction from the Paraguayan Government.

Citizens of the United States, also, who were established in business in Paraguay, have had their property seized and taken from them, and have otherwise been treated by the authorities in an insulting and arbitrary manner, which requires redress.

A demand for these purposes will be made in a firm but conciliatory spirit. This will the more probably be granted, if the Executive shall have authority to use other means in the event of a refusal. This is accordingly recommended.

It is unnecessary to state in detail the alarming condition of the Territory of Kansas at the time of my inauguration. The opposing parties then stood in hostile array against each other, and any accident might have relighted the flames of civil war. Besides, at this critical moment, Kansas was left without a Governor, by the resignation of Gov. Geary.

On the 19th of February previous, the Territorial Legislature had passed a law providing for the election of delegates on the third Monday of June, to a Convention to meet on the first Monday of September, for the purpose of framing a Constitution, preparatory to admission into the Union. This law was in the main fair and just, and it is to be regretted that all the qualified electors had not registered themselves, and voted under its provisions.

At the time of the election for delegates, an extensive organization existed in the Territory, whose avowed object it was, if need be, to put down the lawful Government by force, and to establish a Government of their own, under the so-called Topeka Constitution. The persons attached to this revolutionary organization abstained from taking any part in the election.

The act of the Territorial Legislature had omitted to provide for submitting to the people the Constitution which might be framed by the Convention; and in the excited state of public feeling throughout Kansas, an apprehension extensively prevailed, that a design existed to force upon them a Constitution in relation to Slavery against their will. In this emergency, it became my duty, as it was my unquestionable right, having in view the union of all good citizens in support of the Territorial laws, to express an opinion on the true construction of the provisions concerning Slavery contained in the organic act of Congress of the 30th May, 1854. Congress declared it to be "the true intent and meaning of this act, not to legislate Slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." Under it, Kansas, "when admitted as a State," was to "be received into the Union, with or without Slavery, as their Constitution may prescribe at the time of their admission."

Did Congress mean by this language that the delegates elected to frame a Constitution should have authority finally to decide the question of Slavery, or did they intend, by leaving it to the people, that the people of Kansas themselves should decide this question by a direct vote? On this subject, I confess I had never entertained a serious doubt, and therefore, in my instructions to Governor Walker of the 28th March last, I merely said, that when "a Constitution shall be submitted to the people of the Territory, they must be protected in the exercise of their right of voting for or against that instrument, and the fair expression of the popular will must not be interrupted by fraud or violence."

In expressing this opinion, it was far from my intention to interfere with the decision of the people of Kansas, either for or against Slavery. From this I have always carefully abstained. Intrusted with the duty of taking "care that the laws be faithfully executed," my only desire was that the people of Kansas should furnish to Congress the evidence required by the organic act, whether for or against Slavery, and in this manner smooth their passage into the Union. In emerging from the condition of Territorial dependence into that of a sovereign State, it was their duty, in my opinion, to make known their will by the votes of the majority, on the direct question whether this important domestic institution should or should not continue to exist. Indeed, this was the only possible mode in which their will could be authentically ascertained.

The election of delegates to a Convention must necessarily take place in separate districts. From this cause it may readily happen, as has often been the case, that a majority of the people of a State or Territory are on one side of a question, whilst a majority of the Representatives from the several districts into which it is divided may be upon the other side. This arises from the fact that in some districts delegates may be elected by small majorities, whilst in others those of different sentiments may receive majorities sufficiently great not only to overcome the votes given for the former, but to leave a large majority of the whole people in direct opposition to a majority of the delegates. Besides, our history proves that influences may be brought to bear on the Representative, sufficiently powerful to induce him to disregard the will of his constituents. The truth is, that no other authentic and satisfactory mode exists of ascertaining the will of a majority of the people of any State or Territory on an important and exciting question like that of Slavery in Kansas, except by leaving it to a direct vote. How wise, then, was it for Congress to pass over all subordinate and intermediate agencies, and proceed directly to the source of all legitimate power under our institutions!

How vain would any other principle prove in practice! This may be illustrated by the case of Kansas. Should she be admitted into the Union, with a Constitution either maintaining or abolishing Slavery, against the sentiment of the people, this could have no other effect than to continue and to exasperate the existing agitation during the brief period required to make the Constitution conform to the irresistible will of the majority.

The friends and supporters of the Nebraska and Kansas act, when struggling on a recent occasion to sustain its wise provisions before the great tribunal of the American people, never differed about its true meaning on this subject. Everywhere throughout the Union they publicly pledged their faith and their honor, that they would cheerfully submit the question of Slavery to the decision of the *bona fide* people of Kansas, without any restriction or qualification whatever. All were cordially united upon the great doctrine of popular sovereignty, which is the vital principle of our free institutions. Had it then been insinuated from any quarter that it would be a sufficient compliance with the requisitions of the organic law for the members of a Convention, thereafter to be elected, to withhold the question of Slavery from the people, and to substitute their own will for that of a legally-ascertained majority of all their constituents, this would have been instantly rejected. Everywhere they remained true to the resolution adopted on a celebrated occasion, recognising "the right of the people of all the Territories—including Kansas and Nebraska—acting through the legally and fairly expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a Constitution, with or without Slavery, and be admitted into the Union upon terms of perfect equality with the other States."

The Convention to frame a Constitution for Kansas met on the first Monday of September last. They were called together by virtue of an act of the Territorial Legislature, whose lawful existence has been recognised by Congress, in different forms and by different enactments. A large proportion of the citizens of Kansas did not think proper to register their names and to vote at the election for delegates; but an opportunity to do this having been fairly afforded, their refusal to avail themselves of their right could in no manner affect the legality of the Convention.

This Convention proceeded to frame a Constitution for Kansas, and finally adjourned on the 7th day of November. But little difficulty occurred in the Convention, except on the subject of Slavery. The truth is, that the general provisions of our recent State Constitutions are so similar, (and, I may add, so excellent,) that the difference between them is not essential. Under the earlier practice of the Government, no Constitution framed by the Convention of a Territory, preparatory to its admission into the Union as a State, had been submitted to the people. I trust, however, the example set by the last Congress, requiring that the Constitution of Minnesota "should be subject to the approval and ratification of the people of the proposed State," may be followed on future occasions. I took it for granted that the Convention of Kansas would act in accordance with this example, founded as it is on correct principles; and hence my instructions to Governor Walker, in favor of submitting the Constitution to the people, were expressed in general and unqualified terms.

In the Kansas-Nebraska act, however, this requirement, as applicable to the whole Constitution, had not been inserted, and the Convention were not bound by its terms to submit any other portion of the instrument to an election, except that which relates to the "domestic institution" of Slavery. This will be rendered clear by a simple reference to its language. It was "not to legislate Slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." According to the plain construction of the sentence, the words "domestic institutions" have a direct, as they have an appropriate, reference to Slavery. "Domestic institutions" are limited to the family. The relation between master and slave and a few others are "domestic institutions," and are entirely distinct from institutions of a political character. Besides, there was no question then before Congress, nor indeed has there since been any serious question before the people of Kansas or the country, except that which relates to the "domestic institution" of Slavery.

The Convention, after an angry and excited debate, finally determined, by a majority of only two, to submit the question of Slavery to the people, though at the last, forty-three of the fifty delegates present affixed their signatures to the Constitution.

A large majority of the Convention were in favor of establishing Slavery in Kansas. They accordingly inserted an article in the Constitution for this purpose, similar in form to those which had been adopted by other Territorial Conventions. In the schedule, however, providing for the transition from a Territorial to a State Government, the question has been fairly and explicitly referred to the people, whether they will have a Constitution "with or without Slavery." It declares, that before the Constitution adopted by the Convention "shall be sent to Congress for admission into the Union as a State," an election shall be held, to decide this question, at which all the white male inhabitants of the Territory above the age of twenty-one are entitled to vote. They are to vote by ballot; and "the ballots cast at said election shall be endorsed, 'Constitution with Slavery,' and 'Constitution with no Slavery.'" If there be a majority in favor of the "Constitution with Slavery," then it is to be transmitted to Congress by the President of the Convention in its original form. If, on the contrary, there shall be a majority in favor of the "Constitution with no Slavery," then the article providing for Slavery shall be stricken from the Constitution by the President of this Convention;" and it is expressly declared that "no Slavery shall exist in the State of Kansas, except that the right of property in slaves now in the Territory shall in no manner be interfered with;" and in that event, it is made his duty to have the Constitution thus ratified transmitted to the Congress of the United States, for the admission of the State into the Union.

At this election, every citizen will have an opportunity of expressing his opinion, by his vote, "whether Kansas shall be received into the Union with or without Slavery," and thus this exciting question may be peacefully settled in the very mode required by the organic law. The election will be held under legitimate authority, and if any portion of the inhabitants shall refuse to vote, a fair opportunity to do so having been presented, this will be their own voluntary act, and they alone will be responsible for the consequences.

Whether Kansas shall be a free or a slave State must eventually, under some authority, be decided by an election; and the question can never be more clearly or distinctly presented to the people than it is at the present moment. Should this opportunity be rejected, she may be involved for years in domestic discord, and possibly in civil war, before she can again make up the issue now so fortunately tendered, and again reach the point she has already attained.

Kansas has for some years occupied too much of the public attention. It is high time this should be directed to far more important objects. When once admitted into the Union, whether with or without Slavery, the excitement beyond her own limits will speedily pass away, and she will then for the first time be left, as she ought to have been long since, to manage her own affairs in her own way. If her Constitution on the subject of Slavery, or on any other subject, be displeasing to a majority of the people, no human power can prevent them from changing it within a brief period. Under these circumstances, it may well be questioned whether the peace and quiet of the whole country are not of greater importance than the mere temporary triumph of either of the political parties in Kansas.

Should the Constitution without Slavery be adopted by the votes of the majority, the rights of property in slaves now in the Territory are reserved. The number of these is very small; but if it were greater, the provision would be equally just and reasonable. These slaves were brought into the Territory under the Constitution of the United States, and are now the property of their masters. This point has at length been finally decided by the highest judicial tribunal of the country—and this upon the plain principle, that when a Confederacy of sovereign States acquire a new Territory at their joint expense, both equality and justice demand that the citizens of one and all of them shall have the right to take into it whatsoever is recognised as property by the common Constitution. To have summarily confiscated the property in slaves already in the Territory would have been an act of gross injustice, and contrary to the practice of the older States of the Union which have abolished Slavery.

A Territorial Government was established for Utah by act of Congress approved the 9th September, 1850, and the Constitution and laws of the United States were thereby extended over it, "so far as the same, or any provisions thereof, may be applicable." This act provided for the appointment by the President, by and with the advice and consent of the Senate, of a Governor, who was to be ex officio Superintendent of Indian Affairs, a Secretary, three Judges of the Supreme Court, a Marshal, and a District Attorney. Subsequent acts provided for the appointment of the officers necessary to extend our land and our Indian system over the Territory. Brigham Young was appointed the first Governor on the 20th September, 1850, and has held the office ever since. Whilst Governor Young has been both Governor and Superintendent of Indian Affairs throughout this period, he has been at the same time the head of the church called the Latter Day Saints, and professes to govern its members and dispose of their property by direct inspiration and authority from the Almighty. His power has been, therefore, absolute over both Church and State.

The people of Utah, almost exclusively, belong to this church, and, believing with a fanatical spirit that he is Governor of the Territory by divine appointment, they obey his commands as if these were direct revelations from Heaven. If, therefore, he chooses that his Government shall come into collision with the Government of the United States, the members of the Mormon church will yield implicit obedience to his will. Unfortunately, existing facts leave but little doubt that such is his determination. Without entering upon a minute history of occurrences, it is sufficient to say that all the officers of the United States, judicial and executive, with the single exception of two Indian agents, have found it necessary for their own personal safety to withdraw from the Territory, and there no longer remains any Government in Utah but the despotism of Brigham Young. This being the condition of affairs in the Territory, I could not mistake the path of duty. As Chief Executive Magistrate, I was bound to restore the supremacy of the Constitution and laws within its limits. In order to effect this purpose, I appointed a new Governor and other Federal officers for Utah, and sent with them a military force for their protection, and to aid as a *posse comitatus*, in case of need, in the execution of the laws.

With the religious opinions of the Mormons, as long as they remained mere opinions, however deplorable in themselves, and revolting to the moral and religious sentiments of all Christendom, I had no right to interfere. Actions alone, when in violation of the Constitution and laws of the United States, become the legitimate subjects for the jurisdiction of the civil magistrate. My instructions to Governor Cumming have therefore been framed in strict accordance with these principles. At their date, a hope was indulged that no necessity might exist for employing the military in restoring and maintaining the authority of the law; but this hope has now vanished. Gov. Young has, by proclamation, declared his determination to maintain his power by force, and has already committed acts of hostility against the United States. Unless he should retrace his steps, the Territory of Utah will be in a state of open rebellion. He has committed these acts of hostility, notwithstanding Major Van Vliet, an officer of the army, sent to Utah by the commanding general to purchase provisions for the troops, had given him the strongest assurances of the peaceful intentions of the Government, and that the troops would only be employed as a *posse comitatus* when called on by the civil authority to aid in the execution of the laws.

There is reason to believe that Gov. Young has long contemplated this result. He knows that the continuance of his despotic power depends upon the exclusion of all settlers from the Territory, except those who will acknowledge his divine mission and implicitly obey his will; and that an enlightened public opinion there would soon prostrate institutions at war with the laws both of God and man. He has therefore, for several years, in order to maintain his independence, been industriously employed in collecting and fabricating arms and munitions of war, and in disciplining the Mormons for military service. As Superintendent of Indian Affairs, he has had an opportunity of tampering with the Indian tribes, and exciting their hostile feelings against the United States. This, according to our information, he has accomplished in regard to some of these tribes, while others have remained true to their allegiance, and have communicated his intrigues to our Indian agents. He has laid in a store of provisions for three years, which, in case of necessity, as he informed Major Van Vliet, he will conceal, "and then take to the mountains, and bid defiance to all the powers of the Government."

A great part of all this may be idle boasting; but yet no wise Government will lightly estimate the efforts which may be inspired by such phrensied fanaticism as exists among the Mormons in Utah. This is the first rebellion which has existed in our Territories; and humanity itself requires that we should put it down in such a manner that it shall be the last. To trifle with it would be to encourage it, and to render it formidable. We ought to go there with such an imposing force as to convince these deluded people that resistance would be vain, and thus spare the effusion of blood. We can in this manner best convince them that we are their friends, not their enemies.

In order to accomplish this object, it will be necessary, according to the estimate of the War Department, to raise four additional regiments; and this I earnestly recommend to Congress. At the present moment of depression in the revenues of the country, I am sorry to be obliged to recommend such a measure; but I feel confident of the support of Congress, cost what it may, in suppressing the insurrection, and in restoring and maintaining the sovereignty of the Constitution and laws over the Territory of Utah.

I recommend to Congress the establishment of a Territorial Government over Arizona, incorporating with it such portions of New Mexico as they may deem expedient. I need scarcely adduce arguments in support of this recommendation. We are bound to protect the lives and the property of our citizens inhabiting Arizona, and these are now without efficient protection. Their present number is already considerable, and is rapidly increasing, notwithstanding the disadvantages under which they labor. Besides, the proposed Territory is believed to be rich in mineral and agricultural resources, especially in silver and copper. The mails of the United States to California are now carried over it throughout its whole extent, and this route is known to be the nearest, and believed to be the best, to the Pacific.

Long experience has deeply convinced me that a strict construction of the powers granted to Congress is the only true, as well as the only safe, theory of the Constitution. Whilst this principle shall guide my public conduct, I consider it clear that under the war-making power Congress may appropriate money for the construction of a military road through the Territories of the United States, when this is absolutely necessary for the defence of any of the States against foreign invasion. The Constitution has conferred upon Congress power "to declare war," "to raise and support armies," "to provide and maintain a navy," and to call forth the militia to "repel invasions." These high sovereign powers necessarily involve important and responsible public duties, and among them there is none so sacred and so imperative as that of preserving our soil from the invasion of a foreign enemy. The Constitution has therefore left nothing on this point to construction, but expressly requires that "the United States shall protect each of them [the States] against invasion." Now, if a military road over our own Territories be indispensably necessary to enable us to meet and repel the invader, it follows as a necessary consequence, not only that we possess the power, but it is our imperative duty to construct such a road. It would be an absurdity to invest a Government with the unlimited power to make and conduct war, and at the same time deny to it the only means of reaching and defeating the enemies at the frontier. Without such a road, it is quite evident we cannot "protect" California and our Pacific possessions "against invasion." We cannot by any other means transport men and munitions of war from the Atlantic States in sufficient time successfully to defend these remote and distant portions of the Republic.

Experience has proved that the routes across the isthmus of Central America are at best but a very uncertain and unreliable mode of communication. But even if this were not the case, they would at once be closed against us in the event of war with a naval Power so much stronger than our own as to enable it to blockade the ports at either end of these routes. After all, therefore, we can only rely upon a military road through our own Territories; and ever since the origin of the Government, Congress has been in the practice of appropriating money from the public treasury for the construction of such roads.

The difficulties and the expense of constructing a military railroad to connect our Atlantic and Pacific States have been greatly exaggerated. The distance on the Arizona route, near the 32d parallel of north latitude, between the western boundary of Texas on the Rio Grande and the eastern boundary of California on the Colorado, from the best explorations now within our knowledge, does not exceed four hundred and seventy miles, and the face of the country is, in the main, favorable. For obvious reasons, the Government ought not to undertake the work itself by means of its own agents. This ought to be committed to other agencies, which Congress might assist either by grants of land or money, or by both, upon such terms and conditions as they may deem most beneficial for the country. Provision might thus be made not only for the safe, rapid, and economical transportation of troops and munitions of war, but also of the public mails. The commercial interests of the whole country, both East and West, would be greatly promoted by such a road; and, above all, it would be a powerful additional bond of union. And although advantages of this kind, whether postal, commercial, or political, cannot confer constitutional power, yet they may furnish auxiliary arguments in favor of expediting a work which, in my judgment, is clearly embraced within the war-making power.

For these reasons, I commend to the friendly consideration of Congress the subject of the Pacific railroad, without finally committing myself to any particular route.

The report of the Secretary of the Treasury will furnish a detailed statement of the condition of the public finances and of the respective branches of the public service devolved upon that department of the Government. By this report, it appears that the amount of revenue received from all sources into the Treasury during the fiscal year ending the 30th June, 1857, was sixty-eight million six hundred and thirty-one thousand five hundred and thirteen dollars and sixty-seven cents, ($68,631,513.67,) which amount, with the balance of nineteen million nine hundred and one thousand three hundred and twenty-five dollars and forty-five cents, ($19,901,325.45,) remaining in the treasury at the commencement of the year, made an aggregate for the service of the year of eighty-eight million five hundred and thirty-two thousand eight hundred and thirty-nine dollars and twelve cents. ($88,532,839.12.)

The public expenditures for the fiscal year ending 30th June, 1857, amounted to seventy million eight hundred and twenty-two thousand seven hundred and twenty-four dollars and eighty-five cents, ($70,822,724.85,) of which five million nine hundred and forty-three thousand eight hundred and ninety-six dollars and ninety-one cents ($5,943,896.91) were applied to the redemption of the public debt, including interest and premium, leaving in the treasury at the commencement of the present fiscal year, on the 1st July, 1857, seventeen million seven hundred and ten thousand one hundred and fourteen dollars and twenty-seven cents, ($17,710,114.27.)

The receipts into the treasury for the first quarter of the present fiscal year, commencing 1st July, 1857, were twenty-million nine hundred and twenty-nine thousand eight hundred and nineteen dollars and eighty-one cents, ($20,920,819 81,) and the estimated receipts of the remaining three quarters, to the 30th June, 1858, are thirty-six million seven hundred and fifty thousand dollars, ($36,750,000,) making with the balance before stated an aggregate of seventy-five million three hundred and eighty-nine thousand nine hundred and thirty-four dollars and eight cents, ($75,389,934.08,) for the service of the present fiscal year.

The actual expenditures during the first quarter of the present fiscal year were twenty-three million seven hundred and fourteen thousand five hundred and twenty-eight dollars and thirty-seven cents, ($23,714,528.37,) of which three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents ($3,895,232 39) were applied to the redemption of the public debt, including interest and premium. The probable expenditures of the remaining three quarters, to 30th June, 1858, are fifty-one million two hundred and forty-eight thousand five hundred and thirty dollars and four cents, ($51,248,530.04,) including interest on the public debt; making an aggregate of seventy-four million nine hundred and sixty-three thousand fifty-eight dollars and forty-one cents, ($74,963,058.41;) leaving an estimated balance in the treasury at the close of the present fiscal year of four hundred and twenty-six thousand eight hundred and seventy-five dollars and sixty-seven cents, ($426,875.67.)

The amount of the public debt at the commencement of the present fiscal year was twenty-nine million sixty thousand three hundred and eighty-six dollars and ninety cents, ($29,060,386.90.)

The amount redeemed since the 1st of July was three million eight hundred and ninety-five thousand two hundred and thirty-two dollars and thirty-nine cents, ($3,895,232.39)—leaving a balance unredeemed at this time of twenty-five million one hundred and sixty-five thousand one hundred and fifty-four dollars and fifty-one cents ($25,165,154 51.)

The amount of estimated expenditures for the remaining three quarters of the present fiscal year will, in all probability, be increased from the causes set forth in the report of the Secretary. His suggestion, therefore, that authority should be given to supply any temporary deficiency by the issue of a limited amount of Treasury notes, is approved, and I accordingly recommend the passage of such a law.

As stated in the report of the Secretary, the tariff of March 3, 1857, has been in operation for so short a period of time, and under circumstances so unfavorable to a just development of its results as a revenue measure, that I should regard it as inexpedient, at least for the present, to undertake its revision.

I transmit herewith the reports made to me by the Secretaries of War and of the Navy, of the Interior, and of the Postmaster General. They all contain valuable and important information and suggestions which I commend to the favorable consideration of Congress.

I have already recommended the raising of four additional regiments, and the report of the Secretary of War presents strong reasons proving this increase of the army, under existing circumstances, to be indispensable.

I would call the special attention of Congress to the recommendation of the Secretary of the Navy in favor of the construction of ten small war steamers of light draught. For some years, the Government has been obliged on many occasions to hire such steamers from individuals, to supply its pressing wants. At the present moment, we have no armed vessel in the navy which can penetrate the rivers of China. We have but few which can enter any of the harbors south of Norfolk, although many millions of foreign and domestic commerce annually pass in and out of these harbors. Some of our most valuable interests and most vulnerable points are thus left exposed. This class of vessels of light draught, great speed, and heavy guns, would be formidable in coast defence. The cost of their construction will not be great, and they will require but a comparatively small expenditure to keep them in commission. In time of peace, they will prove as effective as much larger vessels, and often more useful. One of them should be at every station where we maintain a squadron, and three or four should be constantly employed on our Atlantic and Pacific coasts. Economy, utility, and efficiency, combine to recommend them as almost indispensable. Ten of these small vessels would be of incalculable advantage to the naval service, and the whole cost of their construction would not exceed two million three hundred thousand dollars, or $230,000 each.

The report of the Secretary of the Interior is worthy of grave consideration. It treats of the numerous, important, and diversified branches of domestic administration intrusted to him by law. Among these, the most prominent are the public lands and our relations with the Indians.

Our system for the disposal of the public lands, originating with the fathers of the Republic, has been improved as experience pointed the way, and gradually adapted to the growth and settlement of our Western States and Territories. It has worked well in practice. Already, thirteen States and seven Territories have been carved out of these lands, and still more than a thousand millions of acres remain unsold. What a boundless prospect this presents to our country of future prosperity and power!

We have heretofore disposed of 363,862,464 acres of the public land.

Whilst the public lands as a source of revenue are of great importance, their importance is far greater as furnishing homes for a hardy and independent race of honest and industrious citizens, who desire to subdue and cultivate the soil. They ought to be administered mainly with a view of promoting this wise and benevolent policy. In appropriating them for any other purpose, we ought to use even greater economy than if they had been converted into money, and the proceeds were already in the public treasury. To squander away this richest and noblest inheritance which any people have ever enjoyed, upon objects of doubtful constitutionality or expediency, would be to violate one of the most important trusts ever committed to any people. Whilst I do not deny to Congress the power, when acting bona fide as a proprietor, to give away portions of them for the purpose of increasing the value of the remainder, yet, considering the great temptation to abuse this power, we cannot be too cautious in its exercise.

Actual settlers under existing laws are protected against other purchasers at the public sales, in their right of pre-emption, to the extent of a quarter-section, or 160 acres of land. The remainder may then be disposed of at public or entered at private sale in unlimited quantities.

Speculation has of late years prevailed to a great extent in public lands. The consequence has been, that large portions of them have become the property of individuals and companies, and thus the price is greatly enhanced to those who desire to purchase for actual settlement. In order to limit the area of speculation as much as possible, the extinction of the Indian title and the extension of the public surveys ought only to keep pace with the tide of emigration.

If Congress should hereafter grant alternate sections to States or companies, as they have done heretofore, I recommend that the intermediate sections retained by the Government should be subject to pre-emption by actual settlers.

It ought ever to be our cardinal policy to reserve the public lands as much as may be for actual settlers, and this at moderate prices. We shall thus not only best promote the prosperity of the new States and Territories, and the power of the Union, but shall secure homes for our posterity for many generations.

The extension of our limits has brought within our jurisdiction many additional and populous tribes of Indians, a large proportion of which are wild, untractable, and difficult to control. Predatory and warlike in their disposition and habits, it is impossible altogether to restrain them from committing aggressions on each other, as well as upon our frontier citizens and those emigrating to our distant States and Territories. Hence, expensive military expeditions are frequently necessary to overawe and chastise the more lawless and hostile.

The present system of making them valuable presents to influence them to remain at peace has proved ineffectual. It is believed to be the better policy to colonize them in suitable localities, where they can receive the rudiments of education and be gradually induced to adopt habits of industry. So far as the experiment has been tried, it has worked well in practice, and it will doubtless prove to be less expensive than the present system.

The whole number of Indians within our territorial limits is believed to be, from the best data in the Interior Department, about 325,000.

The tribes of Cherokees, Choctaws, Chickasaws, and Creeks, settled in the territory set apart for them west of Arkansas, are rapidly advancing in education and in all the arts of civilization and self-government; and we may indulge the agreeable anticipation that at no very distant day they will be incorporated into the Union as one of the sovereign States.

It will be seen from the report of the Postmaster General that the Post Office Department still continues to depend on the treasury, as it has been compelled to do for several years past, for an important portion of the means of sustaining and extending its operations. Their rapid growth and expansion are shown by a decennial statement of the number of post offices, and the length of post roads, commencing with the year 1827. In that year there were 7,000 post offices; in 1837, 11,177; in 1847, 15,146; and in 1857 they number 26,586. In this year, 1,725 post offices have been established and 704 discontinued, leaving a net increase of 1,021. The postmasters of 368 offices are appointed by the President.

The length of post roads in 1827 was 105,336 miles; in 1837, 141,242 miles; in 1847, 153,818 miles; and in the year 1857 there are 242,601 miles of post road, including 22,530 miles of railroad, on which the mails are transported.

The expenditures of the Department for the fiscal year ending on the 30th June, 1857, as adjusted by the Auditor, amounted to $11,507,670. To defray these expenditures, there was to the credit of the Department on the 1st July, 1856, the sum of $789,599; the gross revenue of the year, including the annual allowances for the transportation of free mail matter, produced $8,053,951; and the remainder was supplied by the appropriation from the treasury of $2,250,000, granted by the act of Congress approved August 18, 1856, and by the appropriation of $666,883, made by the act of March 3, 1857, leaving $252,763 to be carried to the credit of the Department in the accounts of the current year. I commend to your consideration the report of the Department in relation to the establishment of the overland mail route from the Mississippi river to San Francisco, California. The route was selected with my full concurrence, as the one, in my judgment, best calculated to attain the important objects contemplated by Congress.

The late disastrous monetary revulsion may have one good effect, should it cause both the Government and the people to return to the practice of a wise and judicious economy, both in public and private expenditures.

An overflowing treasury has led to habits of prodigality and extravagance in our legislation. It has induced Congress to make large appropriations to objects for which they never would have provided, had it been necessary to raise the amount of revenue required to meet them by increased taxation or by loans. We are now compelled to pause in our career, and to scrutinize our expenditures with the utmost vigilance; and in performing this duty, I pledge my co-operation to the extent of my constitutional competency.

It ought to be observed, at the same time, that true public economy does not consist in withholding the means necessary to accomplish important national objects intrusted to us by the Constitution, and especially such as may be necessary for the common defence. In the present crisis of the country it is our duty to confine our appropriations to objects of this character, unless in cases where justice to individuals may demand a different course. In all cases, care ought to be taken that the money granted by Congress shall be faithfully and economically applied.

Under the Federal Constitution, "every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law," be approved and signed by the President; and, if not approved, "he shall return it with his objections to that House in which it originated." In order to perform this high and responsible duty, sufficient time must be allowed the President to read and examine every bill presented to him for approval. Unless this be afforded, the Constitution becomes a dead letter in this particular; and even worse, it becomes a means of deception. Our constituents, seeing the President's approval and signature attached to each act of Congress, are induced to believe that he has actually performed this duty, when, in truth, nothing is, in many cases, more unfounded.

From the practice of Congress, such an examination of each bill as the Constitution requires has been rendered impossible. The most important business of each session is generally crowded into its last hours, and the alternative presented to the President is either to violate the constitutional duty which he owes to the people, and approve bills which, for want of time, it is impossible he should have examined, or, by his refusal to do this, subject the country and individuals to great loss and inconvenience.

Besides, a practice has grown up of late years to legislate in appropriation bills at the last hours of the session, on new and important subjects. This practice constrains the President either to suffer measures to become laws which he does not approve, or to incur the risk of stopping the wheels of the Government by vetoing an appropriation bill. Formerly, such bills were confined to specific appropriations for carrying into effect existing laws and the well-established policy of the country, and little time was then required by the President for their examination.

For my own part, I have deliberately determined that I shall approve no bill which I have not examined, and it will be a case of extreme and most urgent necessity which shall ever induce me to depart from this rule. I therefore respectfully, but earnestly, recommend that the two Houses would allow the President at least two days previous to the adjournment of each session, within which no new bill shall be presented to him for approval. Under the existing joint rule, one day is allowed; but this rule has been hitherto so constantly suspended in practice, that important bills continue to be presented to him up till the very last moments of the session. In a large majority of cases, no great public inconvenience can arise from the want of time to examine their provisions, because the Constitution has declared, that if a bill be presented to the President within the last ten days of the session, he is not required to return it, either with an approval or with a veto, "in which case it shall not be a law." It may then lie over, and be taken up and passed at the next session. Great inconvenience would only be experienced in regard to appropriation bills; but fortunately, under the late excellent law allowing a salary instead of a *per diem* to members of Congress, the expense and inconvenience of a called session will be greatly reduced.

I cannot conclude without commending to your favorable consideration the interests of the people of this District. Without a representative on the floor of Congress, they have for this very reason peculiar claims upon our just regard. To this I know, from my long acquaintance with them, they are eminently entitled.

JAMES BUCHANAN.

WASHINGTON, *Dec.* 8, 1857.

COMMERCE OF THE UNITED STATES.

The New York *Times* again avails itself of the official figures of the Commerce and Navigation of the United States for 1857, which its Washington correspondent has placed it in possession of, in advance of the Secretary's report to Congress, to compile the subjoined table of exchanges with foreign States. The *Times* introduces the table with the following remarks:

"We have carefully separated the specie items, and also the items of the indirect import trade, (as with Switzerland and the German Zollverein,) so as to present, as nearly as may be, first, the exchanges of the products other than the precious metals of and between the United States and the foreign States and their dependencies with which we trade; and, secondly, the points to which our exchanges in specie are directed, to adjust the general balance.

"Both tables present several prominent points for remark—one of which is, the large preponderance over all other countries presented by Great Britain in the trade with the United States; the balance in the exchange of the ordinary products of the two nations being this year $12,723,882 *in favor of the United States.* The second point is, that notwithstanding this balance in the direct trade with Great Britain, we settle $47,143,214 in specie with other countries *through London.* Another feature of the present return is, the enormous increase in our import trade with Spain and her islands; Cuba and Porto Rico alone having added $18,284,085 in sugars since the previous return in 1856, and Cuba about $3,348,566 in molasses. The present value to Spain of the trade of the United States with her West India and Philippine (Manilla, &c.) dependencies, is $56,846,803; placing her second to Great Britain only in the magnitude of her sales to this country.

Amount in Dollars of Goods bought from and Produce sold to the following-named Countries with which we traded in 1857.

	Bought.	Sold.
Britain and her Colonies	151,692,667	164,416,549
France and her Colonies	45,737,804	31,820,819
Spain and her Colonies	56,846,803	21,213,846
Zollverein and Free Cities	21,568,590	13,593,860
Switzerland	6,822,634	Indirect.
Holland and her Colonies	4,409,777	4,819,234
Belgium	3,711,972	3,691,628
Sweden and Norway	756,894	1,449,711
Denmark and her Islands	285,368	1,164,547
Russia	1,519,420	4,474,842
Austria	796,505	2,173,065
Sardinia	217,287	3,057 901
Tuscany	1,755,002	337,400
Two Sicilies	1,575 953	1,093,951
Turkey	731,850	527,481
Portugal and her Islands	533,714	1,797 341
Africa	1,521,665	2,308,165
Hayti	2,290,242	2,216,147
Brazil	21,460.733	5,268,166
Uruguay	363,297	976,370
New Granada	2,315,104	1,291,674
Venezuela	3,860,518	1,024,048
Peru	208,746	449 743
Buenos Ayres	2,784,473	1,202,376
Chili	3,742,439	2,473 228
Mexico	1,049,267	3 017,640
China	8,356,932	1,723,987
Sandwich Islands	204,416	803,084
Other States and Islands	1,307,777	523,736
Total imported	348,428,342	278,906,713
Foreign goods re-exported		14,905,509
Total exported		293 812 222

Amount of Specie Exchanges in Dollars received from and remitted to the following Countries for the year 1857.

	Received.	Remitted.
London	4,069,054	51,212,263
Paris	1,987,833	6,655,018
North of Europe	132.624	764,133
West Indies	635,517	6,564,260
Mexico	4,958,984	——
South America	406,882	857,640
China	——	2,383,699
Miscellaneous	270,895	702,904
Total	12,461,799	69,136.922

Recapitulation in Dollars of the Foreign Trade, outward and inward, for the year 1857.

	Outward.	Inward.
Exchange of products	348,428,342	293,812,222
Exchange in specie	12,461,799	69,136,922
Grand total	360,890,141	362,949,144
Last year	314.639.942	326 964.918

Mr. Douglas and the President.

Washington, Dec. 3.—Judge Douglas and President Buchanan had to-day a full and free interchange of opinions on the Kansas question, without, it is understood, being able to arrive at the same conclusions in regard to the line of policy which justice and policy require each to pursue. The interview, it is further stated, was courteous, and they parted as they met, friends, regretting they could not view the Lecompton movement in the same light. Mr. Douglas will probably, at an early period of the coming session of Congress, introduce a bill authorizing the inhabitants of Kansas to call a Constitutional Convention.

An Election Incident.

A friend who was in the backwoods, somewhere in Richland county, on election day, tells an amusing illustration of "Democratic" intelligence. One of the unterrified walked up to the polls with a "straight ticket," which was all right until he came to "For Extension of Suffrage. No"—when he exclaimed—

"D——n the niggers! I don't care how much they suffer," and, tearing off the "No," handed the ticket in.—*Milwaukee Wis.*

Further from Kansas.

St. Louis Dec. 2.—At a meeting held at Lawrence on the 19th ult., for the purpose of considering the action of the late Constitutional Convention, resolutions were adopted declaring the Lecompton Constitution to be a gross violation of the expressed wishes of the people of Kansas, a fraud begotten of fraud, and solemnly pledging themselves to resist to the last all attempts to thrust it upon them; repudiating the election proposed to be held on the 21st of December; and suggesting, that if the Territorial Executive does not immediately call a special session of the Legislature of the Territory, that Governor Robinson should call a special session of the State Legislature at the earliest moment.

A resolution was adopted, recommending the appointment of a local vigilance committee, and a determination to sustain the action of that committee. E. B. Whitman presided, and speeches were made by Lane, Robinson, and others. Several of the Pro Slavery papers of the Territory have taken strong grounds against the Constitution.

The Way Walker Got Off.

It was very singular that the sharp Custom-House eyes which watched the filibuster steamer "Fashion," Capt. Caughlin, did not notice what a wonderful pile of coal she had aboard. Apparently, it was a pile of coal, and nothing more; but, if they had "looked into the matter," they might have found that a portion of it was constituted of articles of rather a strange character to be found in the freight of a vessel bound on a harmless coasting voyage. Their eyes should have been upon her up to the time that she cast off from the Levee, at 2 o'clock on Wednesday morning, and they might have observed a remarkable and altogether unaccountable increase of the number of her company. They would have noticed among them the artillery and medical staff of the Nicaraguan army, for they left the Levee on the steamer "Fashion," at 2 o'clock on Wednesday morning, under the very sharp eye of the Custom-House and this reporter, who thought he wouldn't tell the Custom-House anything about it, but left it to them to find out. It was very wrong not to tell Custom-House, but really we couldn't do it.—*New Orleans True Delta.*

Kansas Affairs.

St. Louis, Dec. 4.—At a meeting at Leavenworth, Kansas, on the 21st ult., resolutions were adopted similar to those passed at Lawrence on the 19th, and speeches were made by Messrs. Vaughan, Phillips, Hutchins, Moore, and others.

Mr. Phillips advised rallying around the Topeka Constitution, calling it the Magna Charta of Kansas Liberty. A vigilance committee is being formed throughout the Territory.

A letter to the *Democrat*, dated Lawrence, Nov. 17, states that Gov. Walker said he would call a special session of the Legislature, providing the members would sign a pledge guarantying that they would not go into general legislation.

Tuckerman, the Mail Robber.

William S. Tuckerman, now confined in our jail, charged with robbing the United States mail, while Treasurer of the Eastern railroad, appropriated $250,000 of the company's funds to his private use. There was a public meeting of the stockholders, at which much indignation was expressed; and the swindler confessed that he stole $217,000, but no prosecution followed. Twelve months ago, he was tried before the Municipal Court on an indictment alleging the larceny of $7,000 from the Portland, Saco, and Portsmouth railroad. He was convicted, but his counsel took exception to the ruling of the judge, and the case was taken to the Supreme Court, pending the decision of which, Tuckerman has been at large until his arrest in this city last Sunday night.—*New Haven Journal and Courier, Dec.* 2.

FOREIGN NEWS.

Boston, Dec. 3.—The America has reached this port. She reports that the steamer Jason, from New York, bound to Southampton, put into Queenstown on the 18th instant, short of coal.

The Financial Panic.

On Wednesday, the applications at the Bank of England for discount increased rather than diminished.

The London *Times* of the 19th ult. remarks that it understood that the application which has been made within the last few days by a leading American house to the Bank of England, for a large advance on securities furnished from the private resources of the firm, has been most satisfactorily met, and that all the accommodation required will be fully granted. According to rumor, the requirements of the firm in question (one of the most eminent in the American trade) were nearly a million sterling; and, according to the *Daily News*, the assistance received from the Bank, after a long deliberation of the directors, will, it is expected, enable the firm promptly to comply with the conditions upon which the advances were made.

The *Daily News'* city article of Friday evening says:

"The funds, after obtaining a rise of three-eighths per cent. higher, closed one-quarter per cent. higher than yesterday. Upon the whole, the feeling in the money market was to-day calmer and more satisfactory. The negotiations for affording assistance to a wealthy American house, with liabilities estimated at more than two millions, were to day satisfactorily concluded. The temporary embarrassments of the firm in question were solely occasioned by the impossibility of procuring remittances from some of the first houses in America. Provided that no fresh important cases of embarrassment occur, there is a disposition to hope that affairs will become more cheerful."

The following dispatch is addressed to an intimate friend in New York of Messrs. Peabody & Co., of London:

"*Halifax, N. S., Dec.* 2—9½ *P. M.*—We cannot gather more information than that contained in the dispatch already transmitted, which embraces everything contained in the London *Times.* The name of Peabody is not mentioned in the newspapers, but the eminent American firm referred to is that of George Peabody & Co. It is understood that the Bank of England has promptly responded to their call, and afforded them assistance to the extent of one million sterling."

The London *Globe* of Friday says:

"There is now a much quieter feeling in city circles, and the absence of further commercial failures seems to have created increased confidence. Most persons are inclined to believe that the worst is over, and that, although an occasional disaster may occur, those mercantile firms who found themselves embarrassed will be enabled, through the assistance of friends, to extricate themselves. The fact *that a large establishment connected with the United States has been assisted by the bank, which has prevented a serious failure*, appears to have produced much satisfaction."

The list of failures was seriously extended. The following new suspensions are announced:

E. Seideking & Son, in the Swedish trade. Liabilities, £500.000 sterling.

Allen, Smith, & Co., in the Denmark trade. Liabilities, £100,000 sterling.

Gorrissen, Huffel, & Co., general merchants, (in consequence of American difficulties.) Liabilities, £600,000 sterling.

Scendsen & Johnson, merchants. Liabilities, £40,000.

Brocklesby & Wessels, corn importers. Liabilities, £40,000.

Messrs. Scott & Co., of Queenstown, have suspended, and their liabilities are estimated at from one to two hundred thousand pounds sterling.

On Thursday, the 19th, the *Times* says there was a decided amendment in all mercantile quarters. Not a single failure was reported, and some special causes of anxiety were removed.

The pressure for money at the bank was undiminished; indeed, some authorities say it was more intense than ever; but the meeting of the bank directors broke up without making any advance on the rates of discount.

Loans on Government securities were in demand at 10 per cent.

At Hamburg, the rate of discount had receded to 8¾.

The Paris correspondent of the London *Post* says that several Parisian firms are reported to have convoked their most important creditors, to concur with them in the necessary means to prevent a public failure, and probably to come to a provisional suspension of payment. This means of staving off difficulties will, the writer thinks, be generally accepted in France.

At other continental cities, there are likewise signs of an approaching tendency to the revival of confidence.

A large and very influential meeting had been held in Glasgow, for the purpose of expressing confidence in the Scotch banks. It was resolved to accept the notes of the suspended banks as currency.

The shipment of silver to the east by the mail of the 20th is only £318,000.

The London *Commercial Daily List* of Friday evening, 20th ult., says:

"The discount is in some measure become more settled. The timely assistance afforded by the Bank of England has arrested the distress which would otherwise have occurred. We cannot quote rates lower. From 10 to 12 per cent. continues to be demanded. There is, however, a better feeling in all monetary departments, and good bills cease to be rejected. We confidently look forward to the day when confidence will be re-established."

From the 10th to the 13th of November, the stringency and excitement in money matters was at the highest point, far exceeding any previous *pinch* ever known in England. The Bank of England required all "tainted bills" to be returned immediately, although strongly endorsed. Peabody, we are reliably informed from a private source, took up £100,000 of such paper in a *single day.* A large amount of it was that of Dennistoun, Wood, & Co., whose suspension caused no little embarrassment in all quarters. Mr. Peabody remarked to the Bank of England, in reply to their demand upon him, that if that rule was enforced and *other failures* should require of him and others a similar step, "nobody could stand." It is a matter of rejoicing that this eminent banking firm had the *ability* to meet such a storm without flinching, up to the latest advices, and that there was no doubt whatever of their strength to "go through with flying colors."

During the long-to-be remembered days before spoken of—viz: from the 10th to the 13th November—"no bills at all connected with the American trade, not even the Browns, could be negotiated at any rate." The names of Rothschilds and Barings stood almost alone as a tower of strength. Indeed, it is supposed that they *rendered* more aid to the Bank of England than they *received*, and that during all this eventful crisis they have been more truly independent than that monstrous moneyed power, or even the Government itself.

A second attempt was made to launch the leviathan steamer Great Eastern on the 19th inst.; but it proved a failure, it being found impossible to move her. The four hydraulic presses were brought to bear on the ship with full force, which failing to start her, all hands were set to work on the capstans and land-purchases, to heave her off by chains; but one of the chains gave way, which put an end to the operations. The effort was not to regularly launch her, but to move the vessel some forty feet lower down. Another attempt will be made, with a further improvement in appliances. The public are now kept in ignorance as to the movements of those having the superintendence of launching her.

The *Union* is in the condition of the windy orator who had nothing to say, and took an hour to say it in. It doesn't wish to be understood that it justifies the action of the Calhoun Constitutionalists in withholding their work from the approval of the people; it doesn't wish to be understood as condemning their action, either; in short, it does not desire to be understood as condemning or approving, and takes a world of windy pains to explain that it means nothing in particular. We understand the position of that concern very well; it is afraid to offend the Administration by taking a position that may not meet approval at Washington. It is cautious, lest, in taking opposite ground, it should shock the political reverence of Democrats hereabouts for certain principles and pledges made at Cincinnati, renewed in the President's Inaugural, and endorsed by the *Union.* Men will wriggle when basted between two fires, and the *Union* just now happens to be in that very uncomfortable predicament.

The *Norwich* (Conn.) *Courier* says that the worst fears in regard to the poisonous nature of the water supplied to a portion of that town, through a lead-pipe aqueduct, are confirmed by a chemical examination by James R. Chilton, of New York, which shows the presence of four grains of lead to a gallon of water. The aqueduct has been in operation more than twenty-five years, and persons most familiar with the history of families supplied by it, now remember many deaths, in which the symptoms were the same as in those which have lately been caused by this poison. Dr. Chilton pronounces the water to be remarkably pure, but its very purity was the cause of the poison, as impure water forms a coating of its impurity in the pipes, so as to neutralize the chemical action between the water and the lead, while the pure water has none of the properties to counteract this deadly influence.

The reopening of the New York canals will probably bring to market more than three millions of bushels of wheat. By the closing of the Welland canal, upwards of 600,000 bushels of wheat, afloat for the port of Oswego, were detained from reaching its destination; while for the Canadian port, there were about 300,000 in the same predicament. On the Erie canal there were frozen in upward of 1,000,000 bushels of wheat, on its way to tide water; while between the head of Lake Michigan and the port of Buffalo there was on board vessels frozen up at the various ports, and in vessels stranded or lost in the recent gale, upward of 1,500,000 bushels of wheat.

Herman Melville lectured before a charity association at Lawrence, Mass., on Monday of last week, and again at Concord the next evening. On the 4th instant, he is to speak before the Mercantile Library Association of Boston. This is the first appearance of the popular author of "Typee" on the lecturing stage.

PROSPECTUS FOR 1858.

THE SATURDAY EVENING POST.
Established August 4, 1821.
THE PAPER THAT NEVER SUSPENDS.
A FAMILY WEEKLY—DEVOTED TO LITERATURE AND THE NEWS.

IN these times of Bank suspensions and Mercantile suspensions, the Proprietors of the *Saturday Evening Post* call the attention of the reading public to their old and firmly-established weekly paper, as the paper that never suspends. For over

THIRTY-SIX YEARS

The Post has been published; and in all that period, through "good times," and through "bad times," through bank inflations and bank contractions, through prosperous seasons, and through panics, *The Post* has been regularly issued every week, and forwarded to its thousands of subscribers. Its Proprietors, therefore, point to the past as an unfailing index of the future. And they feel that, in asking of the reading public a continuance of the patronage heretofore so liberally bestowed upon *The Post*, they are asking no more than what it will be both the interest and the pleasure of that public to grant.

Among the contributors to *The Post*, we may mention the following gifted writers:

WM. HOWITT, ALICE CAREY, T. S. ARTHUR, GRACE GREENWOOD, ANNA BLACKWELL, A. DUGANNE, MRS. M. A. DENISON, EMMA ALICE BROWNE, The Author of "AN EXTRA JUDICIAL STATEMENT," The Author of "ZILLAH, THE CHILD MEDIUM," &c., &c.

We design commencing in the first paper of January, the following ORIGINAL NOVELET:

JESSIE LORING;
OR, THE HAND AND NOT THE HEART.
Written expressly for *The Post*,
by T. S. ARTHUR.

Mr. Arthur's productions are so widely known, that we need hardly say that the tone of the present Novelet will be entirely consistent with the moral and instructive character which we have always striven to impress upon *The Post.* Readers who wish to peruse the *Flash Stories* which abound in the land—pernicious and destructive in their tendency and effects—can find them, we regret to say, at every corner. But *The Post* will still maintain its high character, as a paper which the most scrupulous parent may allow freely to enter

THE FAMILY CIRCLE;

And which will purify and instruct, instead of demoralizing and corrupting, the youthful mind. Especially will its conductors avoid, in the publication of the weekly news, all those long and disgusting reports, unfortunately now so common, of

VILE CRIMINAL CASES;

Believing, as they do, that the practice of publishing the details of such loathsome cases, and of the criminal trials resulting therefrom, is a fruitful cause of the recent alarming increase of vice and crime in the community. Like begets like—and what the mind feeds upon, that it will grow to resemble.

CHOICE SELECTIONS

of all kinds, from the *best Foriegn and Domestic sources*, shall continue to be, as heretofore, a leading feature of *The Post.* The Stories, Essays, Sketches, Agricultural and Scientific Facts, &c., &c., obtained in this way for the readers of *The Post*, are among the most instructive as well as interesting portion of its contents.

THE VERY CREAM

of the *Periodical Literature* of the *British Isles* is thus given to our readers. *The Post*, weekly, has

SOMETHING FOR ALL

the members of the family. NOVELETS, ESSAYS, STORIES, ENGRAVINGS, AGRICULTURAL ARTICLES, THE NEWS, SKETCHES, POETRY, ANECDOTES, RIDDLES, THE WHOLESALE AND RETAIL MARKETS, BANK NOTE LIST, &c., &c.

Finally, we may mention three good reasons why the reading public should give the preference to *The Post*:

☞ It is superior to any other paper of the same price.
☞ It is cheaper than any other paper of equal merit.
☞ It will be certain to come when paid for.

TERMS (Cash in advance)—Single Copy $2 a year.
4 COPIES - - - - - - - - $5.00 a year.
8 " (And one to the getter up of the Club,) 10 00 "
13 " (And one to the getter up of the Club,) 15.00 "
20 " (And one to the getter up of the Club,) 20 00 "

The Postage on the POST, to any part of the United States, paid quarterly or yearly in advance, at the office where it is received, is only 26 cents a year.

Address, *always post-paid*,
DEACON & PETERSON,
No 132 South Third street, Philadelphia.

☞ SAMPLE NUMBERS sent gratis to any one, when requested.

☞ TO EDITORS.—Editors who give the above one insertion, or condense the material portions of it for their *editorial* columns, shall be *entitled* to an exchange, by sending us a *marked* copy of the paper containing the advertisement or notice. 571

A RETIRED PHYSICIAN,
75 years of age,

Whose sands of life have nearly run out, discovered, while in the East Indies, a certain cure for Consumption, Asthma, Bronchitis, Coughs, Colds, and General Debility. The remedy was discovered by him when his only child, a daughter, was given up to die. He had heard much of the wonderful restorative and healing qualities of preparations made from the East India Hemp, and the thought occurred to him that he might make a remedy for his child. He studied hard, and succeeded in realizing his wishes. His child was cured, and is now alive and well. He has since administered the wonderful remedy to thousands of sufferers in all parts of the world, and he has never failed in making them completely healthy and happy. Wishing to do as much good as possible, he will send to such of his afflicted fellow-beings as request it, this recipe, with full and explicit directions for making it up and successfully using it. He requires each applicant to enclose him one shilling—three cents to be returned as postage on the recipe, and the remainder to be applied to the payment of this advertisement. Address Dr. H. JAMES,
No. 19 Grand street, Jersey City, N. J.

BOOK, Pamphlet, and Job Printing, neatly executed by BUELL & BLANCHARD, corner of Indiana avenue and Second street, Washington, D. C.

WASHINGTON, D. C.

THE NORTHERN PRESS.

From Forney's Press.

LET THE MAJORITY RULE.

It is astonishing how a great principle breaks down all opposition. It is like the resistless advance of a conquering army. It is more—for it works enduring triumphs, and wields perpetual sway. Nothing can long arrest it or forever keep it back. The more it is opposed, the more certain it is to succeed. Neither principalities nor powers can destroy it. When the great principle of popular sovereignty was enunciated in the Nebraska bill of 1854, it encountered a torrent of assault and misrepresentation. It was so damaged to the Northern mind by its adversaries, that for some time it went down before the onset. It had a fearful struggle even in Kansas, deeply as Kansas was concerned in its success. At first, a portion of the South, and then a portion of the North, tried to intervene against it, but with no permanent advantage. The Administration of James Buchanan came to the rescue; and a fair election in Kansas—an open free field to the doctrines of popular sovereignty—was inscribed on its banners. The result we see before us in the late election in Kansas. A fair vote was had, for the first time, in October last, and the new State will soon be started, upon the principle that *the majority shall rule*, which is the very soul of popular sovereignty.

The public opinion manifested against the attempt of a few men in Kansas, calling themselves the Constitutional Convention of the Territory, (less than sixty in all!) to make their work binding upon thousands of the people of the embryo State, without permitting the people to vote upon their work, has once more presented a striking evidence of the tenacity with which the people adhere to a great principle, no matter who opposes it. A miserable minority Convention, as this was, its authority would not have been resisted, *had it not feared the ballot box.* But this fear has proved alike its own guilt, and awakened the public apprehension in regard to it. This fear will annihilate its designs.

As an evidence of the great feeling of opposition to the doings of the late Constitutional Convention of Kansas, which has been excited by the act of that body in refusing to commit their own entire work to the people, whose servants they are, we take the following expressions of sentiment, which have just reached us by the late mails:

From the Albany Atlas and Argus, Nov. 17—Democratic State paper of New York.

The only question for Congress is, has the application for admission, and the Constitution accompanying it, the approbation of the people of the Territory in whose name the application is made? On this point Congress should have affirmative evidence. It should be satisfied that the people approve what is demanded in their name. If not satisfied, it is the duty of Congress to send back the application to the people of the Territory, for their approval or disapproval.

Applying these principles to Kansas, Congress should be satisfied that her people desire admission with the Constitution presented. If not satisfied on that point, the matter should be sent back for further evidence from the people.

Should a Constitution be presented from Kansas, sanctioning Slavery, without having been submitted to and approved by the people, we do not see how it will be possible for Congress to be satisfied that it represents the will of the people. All the external evidence will favor the conclusion that it does not. The recent election affords strong proof that the public sentiment of the Territory is against Slavery. We think, under such circumstances, if they arise, it will be the imperative duty of Congress, *not to reject the application because the Constitution favors Slavery*, but simply to *send it back to the people of Kansas to ascertain whether it in truth has their sanction.*

The issue in Congress should not be on *admission*, but on *submission*. Congress should not allow itself to be placed in a false position, where its action can be misrepresented as a decision not to admit a State with a slave Constitution. It should decide the question on the preliminary point, that there is not satisfactory evidence that the proposed Constitution has the sanction of the people of the proposed State.

Southern men cannot complain of such action. They will not complain of it. The South, on such an issue, will sustain the Administration and the action of Congress. They do sustain the principle now. The leading Democratic papers in Virginia are out-spoken and emphatic in favor of submission of the Kansas Constitution to the people.

From the Providence (R. I.) Daily Post, (Dem.,) November 17.

The Kansas Constitutional Convention has determined to submit only *one* Constitution to the people of that Territory, and in this it has taken the right ground. Even between half a score of Constitutions, a choice might not have been worth much; and it would be wrong to force upon the people a choice between two instruments of Government, both of which were objectionable. The Slavery question is to be submitted by itself. By some accounts, it is the *only* question submitted—the voting being, "For the Constitution, without the Slavery Clause." We have no doubt that, the Slavery question aside, the whole population may unite upon a Constitution; but the principle involved in this method of disposing of the matter is not Democratic. An opportunity ought to be given to the people to vote the Constitution down, no matter whether it is Pro-Slavery or Anti Slavery, if they want to.

From the Buffalo Daily Courier, (Dem.,) Nov. 17.

That the Convention is not competent infallibly to express the popular will, that body has itself declared, in the act of submitting to the people that portion of its constitutional project providing for the establishment of Slavery. The only pretext upon which the Convention can claim that their decision, in respect to any of the provisions in the Constitution, is final and conclusive, rests upon a popular ratification in advance of whatever the Convention should see fit to do. But any power thus conferred was as absolute, in respect to Slavery, as to the organization of the Judiciary, or the term of office of the Governor.

Nor have the Convention any further assurance that its action in these last particulars conforms to the popular will, than in the matter of Slavery. Why, then, is only the Slavery clause submitted to the vote of the people, and no opportunity offered for rejecting the other provisions of the Constitution? If it be answered, that the public sentiment had made no question in respect to any other subject of constitutional sanction than Slavery, it may be asked, What motive for withholding the other provisions from the popular verdict, if that verdict is certain to be one of approval? A part of the Constitution is to be submitted for ratification; an election is to be held, all the time will be consumed, and all the expense incurred, requisite to ascertain positively the will of the people in relation to the whole project. But the expression of that will is to be confined to only a part of it. The inference is irresistible, that any such discrimination is intended to promote the project of those who desire to impose a Constitution upon Kansas in defiance of the popular will; and that partial submission is conceded in deference to a public sentiment that cannot safely be disregarded, and in the hope, perhaps, of mollifying the opposition that a more flagrant violation of the principle of popular sovereignty would be certain to excite. But we apprehend that the least infringement upon that principle will be as indignantly and effectually rebuked as the widest departure from it. The rights of the people are not to be trifled with. The Congress of the United States will not lend its countenance to evasion and subterfuge directed to defeat the popular will. The President of the Kansas Convention may send the Constitution to Congress, affirming the mockery of a sanction which those voters confer upon it who will submit to be told. "The Constitution we have framed for you, you shall have; take it with Slavery or without, as you prefer; but in every other feature of it you must accept our dictation." But Congress will spurn the presumption and arrogance of the Convention, and refuse to sustain its shameless usurpation.

From Haldeman's Patriot and Union, (Dem.,) Nov. 19.

Their conduct, however, [Free State men,] does not excuse the Convention for refusing to submit the entire Constitution to the people. The Democratic party is pledged to admit Kansas with such a Constitution as a majority of her citizens shall adopt; but it must be one fairly submitted and fairly adopted. The effort to force a Constitution distasteful to the people upon them, must prove futile, and cannot be recognised by the party that established the doctrine of popular government, and are bound to see it equitably enforced.

From the Buffalo Advertiser, (Old-Line Whig,) Nov. 17.

The late news from Kansas is of a character to arrest attention. The Convention for forming a State Constitution adjourned on Saturday, the 7th inst., having completed its labors. No provision is made for submitting the Constitution, as a whole, to the suffrages of the people, but the Convention decided to submit the article relating to Slavery. The people of Kansas have as clear a right to decide on the other parts of the organic law under which they are to live, as they have to say whether they will tolerate Slavery within their limits. We believe that this refusal to allow the people of the Territory to vote on the Constitution as a whole will receive the emphatic condemnation of the people of the country, and that it will be so emphatically expressed before the subject comes into Congress, that that body will not venture to set it at defiance by admitting Kansas as a State. We have of late looked carefully into the leading Democratic journals of the Northern States, with a view to gather their sentiments on this subject, and it gives us pleasure to say, that they are unanimously and warmly enlisted in defence of the right—of the right of the people of Kansas to decide under what institutions they will live. We confidently predict, therefore, that the action of the Kansas Convention will not be sanctioned by Congress.

From the Springfield (Ill.) Republican, Nov. 28.

THE DEMOCRACY AND KANSAS.

The Administration and the Democratic party have been successful heretofore in dodging a direct issue upon the Kansas question. But they seem to be caught at last, and just, too, when they thought the plaguey trouble was over. The late action of Mr. Calhoun's Convention creates quite a disturbance among the representatives of Democratic opinion. The Washington *Union*, the central Administration organ, committed itself at once, in a grand *feu de joie* of language, to support that plan of pacification. But most of the Northern Democratic papers reject it, and show more independence and determination in their articles against it, than we were justified in expecting. It would seem to be certain that the Administration cannot carry through Congress a Constitution that has not, as a whole, been submitted to and approved by the people of the Territory. If they attempt to do it, they will lose a new and formidable section of their supporters in the free States, and establish a common ground of opposition for the Republicans of the North and the Americans of the South. But, on the other hand, if they abandon the Constitution which has been prepared, reject it altogether, or send it back for a vote of the people, they seem to be in equal danger from the South. The Democracy of that section have been goaded to desperation by Governor Walker's disposition to deal fairly with the Kansas matter, and are looking with suspicious and doubtful eyes on the course of the President and Cabinet. They have only been kept from open revolt, heretofore, by assurances that Governor Walker did not represent the Administration, and that he would be rejected by a Democratic Senate, unless Mr. Buchanan chose to recall him, or induced him to resign. Gov. Walker might, indeed, be got rid of in one of these ways; but Mr. Calhoun's Constitution is not so easily to be escaped; the Administration must espouse or oppose it, and whichever course they take will oblige them to face a breach of their party in Congress and the country. There is certainly the most imminent prospect of the speedy realization of such a blessing to the nation that has appeared in the political horizon since the repeal of the Missouri Compromise was successfully maintained.

Of course, every possible expedient will be resorted to for the avoidance of such a result. To cheat one section in such a manner as not to offend the other, has been, and still is, the whole aim and purpose of Mr. Buchanan's Administration. New efforts to do this will not be wanting, but they are likely to be futile. Sooner or later, it has always been evident the Democratic party had got to account for their jugglery with the country in the Kansas question. They escaped it last year, but they cannot avoid it or postpone it now. The issue is made up in two cases—Governor Walker's course in rejecting the fraudulent voting in Johnson and McGee counties, and in Mr. Calhoun's Constitution. Both are to come up before the new Congress early in its session, and upon them both the Democratic party already gives serious indications of radical division.

Justice, common sense, precedents, and the consistency of the Democratic party and of the Government, are all on the side of the Northern section on both these questions; and when driven to an actual decision, the public opinion of the country will, we believe, force the Administration to fulfill its own pledges to the people of Kansas and to the country, and stand faithfully by its instructions to Gov. Walker. In the whole history of our Government, there is but one instance of the inauguration of a State Constitution without its first having been submitted to a direct vote of the people. That was in the case of Virginia; her first Constitution was not only never so submitted, but it was framed by a body not elected for the purpose of framing a Constitution. But the necessities of a period of revolution were the excuse for this irregularity, as it was regarded by all her statesmen then and her political historians since. Since, on several occasions, the Constitution of Virginia has been altered or remodeled, and never has the work failed to be offered to the test of the popular vote. That the consistency of the Democratic party and the Administration requires what the Northern Democratic papers join the Republicans and the people of Kansas in demanding—viz: the submission of the whole Constitution to a direct vote before it shall take effect—will be sufficiently evident upon the reading of a few citations from their record. The last National Democratic Convention, which nominated Mr. Buchanan—

"*Resolved*, That we recognise the right of the people of all the Territories, including Kansas and Nebraska, *acting through the fairly* EXPRESSED [NOT IMPLIED] WILL *of the majority of actual residents*, and whenever the number of their inhabitants justifies it, to form a Constitution, with or without domestic Slavery, and to be admitted into the Union upon terms of perfect equality with the other States."

Mr. Buchanan, in his Inaugural message, said:

"It is the imperative and indispensable duty of the United States to secure to every resident inhabitant the free and independent expression of his opinion by his vote. This being accomplished, nothing can be fairer than to leave the people of a Territory, *free from all foreign interference, to decide their institutions* according to the Constitution of the United States."

The official instructions to Governor Walker, on his first going to Kansas, written in the name both of the President and Secretary of State, contain this declaration:

"When such a Constitution shall be submitted to the people of the Territory, they must be protected in the exercise of their right of voting *for or against that instrument*, and the *fair expression of the popular will must not be interrupted by fraud or violence.*"

Again, Gov. Walker, in his letter to the President accepting his appointment to go to Kansas, thus explicitly stated the principles on which he supposed he was to act:

"I understand that you and all your Cabinet cordially concur in the opinion expressed by me, that the actual *bona fide* residents of the Territory of Kansas, *by a fair and regular vote, unaffected by fraud or violence*, MUST *be permitted, in adopting their State Constitution, to decide for themselves what shall be their social institutions.* This is the great fundamental principle of the act of Congress organizing that Territory, affirmed by the Supreme Court of the United States, and is in accordance with the views uniformly expressed by me throughout my public career. I contemplate a peaceful settlement of this question by an appeal to the patriotism of the whole people of Kansas, *who shall all participate, freely and fully*, in this decision, and by a majority of whose votes the determination must be made, as the only proper and constitutional mode of adjustment."

Thus authorized by his superiors, Governor Walker, on entering the Territory, issued an address to the people, in which he said:

"I repeat, then, as my clear conviction, that unless the Convention submit *the Constitution* to the vote of all the actual resident settlers of Kansas, and the election be fairly and justly conducted, the Constitution *will be and ought to be rejected by Congress.*"

This conviction and assurance has been frequently repeated by Gov. Walker in his intercourse with the people of the Territory. Though the *Union* newspaper now favors a policy in direct violation of this plain record, and the President and Cabinet are represented to do the same thing, we do not believe it will be found for the interest of the Administration or its party to meet the new issues in such a way. They may be forced to split; but though the prediction is against the heretofore uniform course of Mr. Buchanan and his party, we believe they will see their interest as we see it, and will sustain themselves and the right of the people of Kansas to pass upon their Constitution, even at the expense of a loss of the extreme Southern wing. Let us watch and see if the Democratic party does not yet revolutionize itself on this question of Slavery.

From the Lexington Observer.

LETTER FROM COL. BENTON.

WASHINGTON, *Nov.* 1, 1857.

To George Robertson, Esq.,
Ex-Chief Justice, &c., Lexington, Ky.

MY DEAR SIR: I have read with infinite gratification your publication in the *National Intelligencer*, on the decision of the Supreme Court on the Missouri Compromise act, and concur with you most heartily, as you will soon see in the sixth volume of the *Abridgment of the Debates of Congress*, now in the press, (by Messrs. Appleton, of New York;) and also in an "Examination" which I have made of the same branch of the decision, in a thin octavo of 200 pages, likewise now in the same press, and quickly to appear. This decision—that part of it which relates to the nullity of the Compromise act, and to the self-extension of the Constitution to Territories—is the heaviest political blow that ever fell upon my heart, and left me in a state of total impossibility of remaining silent under it. I view it as you do—as dreadfully wrong in itself, and entirely extra-judicial, and of no more weight than the opinion of any half dozen equally-respectable citizens, coming to the same conclusion, (in much part,) upon inconsistent, incompatible, and contradictory reasons. That Compromise act was a political enactment, made by the political power, for political reasons, and these reasons among the largest that ever influenced human legislation—no less than to reconcile a divided and distracted country, and to prevent our sacred Union from splitting asunder. As such political enactment, the Court had no right to judge it, even if the question had come fairly before it—which it did not—for the Judiciary cannot judge political questions, neither of right nor in fact, for these questions depend upon considerations of policy which the Judiciary cannot touch, and not upon the interpretation of phrases, to which the Court is confined. The same of the self-extension of the Constitution to Territories: it was a political question, as to what that Constitution should extend; and it was limited by its own words to States, and has been so acted upon by every Congress, and by all authorities, (State and Federal, Legislative, Executive, and Judicial,) from the commencement of the Federal Government to the present day. And I venture the assertion, that there has not been one single member of Congress, in the seventy years in which Congresses have been held, who has not voted for objects in the Territories, (local internal improvements, for example,) which they would not vote for in a State; and upon the express ground that the Constitution did not extend to Territories. The Ordinance of 1787 was the Territorial Constitution, given to Territories as a sovereign gives a charter to his subjects; and, as such, was made in concert with the Constitution, as you well say, and indispensable to the formation of the Constitution; and as such was provided for—doubly provided for—in the new Government; first, by the clause in the Constitution which devolves all the "engagements" of the Congress of the Confederation upon the new Federal Congress; and, secondly, by the act of the new Congress of August 7, 1789—the eighth act passed by the first Congress under Washington—adapting that Ordinance to the new Constitution, and adopting it in every word which it contained as a law of the new Government.

You will see in the Abridged Debates (the notes as well as the text) that full justice is done to yourself and to all the patriotic men who acted with you in that great measure of reconciliation and pacification; and also in my "Examination" of the Court's opinion—that part of it which I deem political and extra-judicial, and *obiter dicta*. As to what concerned the individuals before the Court as parties in the record, I have nothing to say. That part was judicial; and whether rightfully or wrongfully gotten hold of and decided, I let it alone, for it was the decision of the tribunal of highest resort; and the peace and good order of society require all questions of personal rights to be settled and done with. But in this political decision, in which the Supreme Court acted upon a question beyond its jurisdiction, and lugged it in as a tail to a question of negro freedom, and in which it decided upon a view of the Constitution which had no more to do with it than the adventures of Robinson Crusoe, and then reversed the action of the Government for seventy years, and made a new Constitution in all that relates to Territorial legislation—in such case I have felt it to be my duty, as one of the few survivors of the old school, to raise my voice against it, and to appeal to the candid intelligence of my fellow citizens, to come to the defence of our Constitution, such as our fathers made it, and as it was administered for two generations.

I mean what I say, when I say the Supreme Court had as well been looking into Robinson Crusoe, as looking into the Constitution of the United States, to find the power of Congress to legislate for Territories; for it is not there, but in the Ordinance of 1787, adopted by the Constitution and by the first Congress under Washington, and in their right as sovereign proprietors, having the right to acquire, and become their duty under the State cession acts and under the treaties of cession. The "needful rules and regulation clause," as the Court said, gave no power to govern the Territories; it only applied to property, and that the property of the United States—its territory, *id est*, land; and in other property, *id est*, personal estate. It conferred no powers of Government, and that for the reason known to everybody at the time, and to nobody (hardly) now, *videlicet:* because the Government of the Territories was provided for in another place—namely, in the Ordinance of 1787, and protected by a clause in the Constitution, and adopted by Congress August 7, 1789, and in the right of sovereign proprietors. The Court looked in the wrong place to find the power of Congress to legislate for Territories.

I was breaking down under the appalling attack which fell upon me when I was writing the "Examination," and had to leave some heads unfinished, and also to add some part after I had given up this world. My physician, Dr. May, saw with astonishment that I rose from what he knew I considered the bed of death, (and which he feared to be so,) and went to my table and wrote. I was adding something to the "Examination," and could hardly refrain from a postscript: "This is my political testament, written with a dying hand." Well! I did not die, but I have to; and will die upon the truth and justice of what I wrote.

Among the heads sketched, but not filled up, are the Florida Territorial transactions of 1821, in which Governor Jackson, commissioned with the power of a Captain General and Intendant of Cuba, under an act of Congress continuing temporarily the Spanish system of Government in that Territory, and in which he found occasion to act up to the letter of that law and commission, uniting in himself the supreme, civil, military, executive, and judicial functions, using the military for his arm, and his own *fiat* for authority, sending Governor Callava to the calaboose, and having Judge Fromentin brought before him at the point of the bayonet, for issuing a writ of *habeas corpus* in behalf of the imprisoned Governor; and laying divers others by the heels for complicity in Callava's fault, to wit: refusing to deliver up and intending to carry off judicial records, on which depended redress to orphan children who had been despoiled of their father's property for fifteen years, and all which actings and doings of Governor Jackson, exercising over Florida the powers of a Captain General and Intendant of Cuba, were approved expressly by the Monroe Administration, (and you know who composed that Administration,) and impliedly sanctioned by each House of Congress, in their refusal to act upon the complaints of the incarcerated officers, and all upon the ground that the Constitution of the United States did not extend to a Territory, and that no act of Congress had carried into Florida any of its provisions, any *habeas corpus* act, any jury trial, or any warrant, general or special, or any security against seizure of persons, search of houses, or capture of papers and effects. This head, growing out of the transactions in Florida, so recent in date, and so up to the exigency of our argument, was merely named and sketched in the "Examination," but afterwards well developed in the forthcoming sixth volume of the Abridgment.

In the same "Examination" will be seen the manner in which the act abrogating the Missouri Compromise was passed, and the objects for which it was passed, and of which it was only the first step and the entering wedge; whereof the good people of the United States are at present profoundly ignorant; telegraph reporting has about killed all popular knowledge of Congress proceedings, confining their report to *results*, too brief and meager to show how Congress acts; and yet this is almost the only report of Congress doings which the people will read in this go-ahead age of steam and electricity.

It is a long time since we saw each other; and what is called politics have sadly run down since that time, and especially in the last Presidential term, presenting but little for the attraction of any man who has nothing but the public good in view. But here is a question of a new kind, national and elevated, on which all who are for the Constitution as our fathers made it, and as they administered it in their day and generation, and as the next generation administered it, (and that without distinction of party or default of a man,) may come together and stand. For one, I can give no political aid or comfort to any man or party, in any future election, who shall uphold the opinion of the Supreme Court in declaring the nullity of the Missouri Compromise, and in decreeing the self-extension of the Constitution to Territories, carrying Slavery with it, and preventing Congress and the people of the Territory from saying yea or nay to its introduction or repulsion.

I am now well recovered, and working as usual, and expect to finish the Abridgment next Summer, and to add another volume to the two of the *Thirty Years' View*, bringing it down to 1860, if I live that long; at all events, to the time of the Pierce administration, if we must call by his name an Administration in which he was inoperative, and in which nullifiers, disunionists, and renegades, used his name and his power for their own audacious and criminal purposes. Respectfully,

THOMAS H. BENTON.

EXTRACTS FROM BUSINESS CORRESPONDENCE OF THE ERA.

Sonora, Nov. 2.—I enclose $15 for another year's subscription. The members of our club are much pleased with the *Era*, and some who are straitened are giving up local papers in order to continue their subscription to it. I think, also, it is doing good in this benighted region. But to those who have not an abiding confidence in truth, the prospect of making California a truly *free* State is very discouraging. We are behind where we were in 1849; and, except in *freedom of speech*, we have not apparently gained any within the past two years. The true reason why we have retrograded since 1849 is this: The first population attracted to this State was of the best portion of the older States—of men who had been unfortunate, but whom misfortune could not conquer. They came to recuperate their lost fortunes—to accumulate sufficient to release their farms or homesteads from mortgage, or to buy new homes, and establish themselves in business. They did not come to California to remain. Their families were left behind; and as soon as they had acquired as much as they needed, they returned to their families.

The policy of our rulers and politicians has been to keep the mines open to every adventurer, instead of giving a fee-simple title to *bona fide* settlers; and the result has been just as predicted—namely, a gradual decrease of that class of population which regards a homestead as of value, and which possesses the finer feelings and sentiments belonging to the peasantry. In their room are left a floating, roving population, without homes, without family restraints, without those kindly feelings which are nurtured in the family—Border Ruffians, in the literal sense of the term—without patriotism, and without humanity.

Of course, Republicanism cannot be expected to flourish in such soil. My hope is in a second change in society. As the placers become exhausted, men must turn their attention to other pursuits, and the discontented will leave us in search of glory under some filibuster general, or will wear themselves out with dissipation. Ultimately the meek shall inherit even this portion of the earth. It is God's law, and it will surely be accomplished.

Shelbyville, Ind., Nov. 24.—I have been striving to find time to write you, ever since my return from Texas, (September 28th,) whither I went in April last, and indeed tried to write while there; but, although there was full enough to write about, my time and strength were so fully occupied with the business which took me there, that I could not write. When I shall be able to find time to write you anything of the country, people, &c., of Texas, I cannot now conjecture. But this I may now say, Let the friends of Freedom not be excited, by the appeals of ultra Southern papers against the formation of a free State or States out of portions of Texas, to form sanguine hopes of the early consummation of an object so desirable. It will come, but not now, nor without a serious struggle. As of old, "The children of this world are wiser in their generation than the children of light." So it is yet. In Northern Texas, where there are but few slaves, every energy is directed to the large increase of the numbers. Every man who can command enough money for the purchase of a slave, so uses it; and not only so, but those who have slaves readily sell to those who have none, on time, or, preferably, lend them money with which to purchase, that they may, as far as possible, bind all their people to the "peculiar institution."

It was my fortune to find but few opponents of Slavery in Texas, although the very worst effects of Slavery were patent to every observer, in a high degree. And I confess to no great regret (or perhaps I should say, to much less regret) at the defeat of General Houston for the Governorship, from the fact that he stooped in his public speeches to pander to bad passions, and cherish what he well knows to be false notions, in the use of such phrases as "Abolitionists," "Black Republicans," &c.—representing the Republican party as "Abolitionists, Nigger-stealers," &c. Had he possessed the independence and moral courage to come out like a man, and openly avow his real sentiments, he might have been elected, or, at least, could have enjoyed the privilege of knowing and feeling that he was defeated on principle by the people, instead of by a corrupt clique, made up of the fag-ends of all parties. Yet, I cannot but regard General H. as one of the very ablest and most conservative of Southern statesmen. Nevertheless, he is a slave in opinion, speech, and action; and his master (the "peculiar institution") is a very hard one.

The Currency.—Many suggestions are being made to remedy our currency. The opinion appears to be gaining ground, that there should be no banks of *issue;* but, how can thirty-one States be brought to act together? Only in one way. "Let the present Congress propose to the States an amendment of the Constitution of the United States, prohibiting the *States* from chartering any banks of issue whatever hereafter." Congress, not the States, should control the whole question of currency.

If such amendment were submitted to *Conventions*, chosen by the States, separating the matter from party politics, it is probable that three-fourths of the States would concur.

Yours, R. S. S.

A Word from Virginia.

Extract from a letter dated ——, Virginia, Nov. 9.—"Although I have only been a subscriber to the *Era* for two years, I have been a regular *reader* of its columns ever since published; and now a subscriber, I wish to continue one as long as it maintains its independent principles, and its fearlessness in the cause of truth and justice. But it is not pleasant to have one's subscription shortened, even if the 'times are hard.' And were they ten times harder, I want to '*stick*' by the *Era*, although its terms were advanced 50 per cent.

"I claim to be a Virginian of the 'Jefferson stamp,' and, although not allied to any political party, am a strong sympathizer with what Virginians term 'Black Republican;' and although I feel quite young in the great and I hope growing cause of Freedom, some of my neighbors call me '*Black Republican of the blackest stamp*,' as I favor, not only free Kansas and free territory generally, but Freedom everywhere.

"I think mine is the only copy of the *Era* sent to ——, and perhaps the only one sent to this county of '*John C. Underwood notoriety.*' But if I continue to be the *only one*, it will not be because I have not voluntarily acted as an agent; but although I should continue alone, I shall be a reader of the *Era* as long as it continues to stand upon its present platform, and is not prohibited from coming to my office."

For the National Era.

THE CURRENCY.

The question of a sound currency will be one of the topics of the coming message of President Buchanan, at the ensuing session of Congress, as well as of every Governor of States at the meeting of State Legislatures. The Democratic party has always claimed to go for a sound hard-money currency, as the only true basis upon which the industry of the working classes could safely rely. They have said, and said truly, when the rich can reduce the worth of a dollar by the creation of paper dollars, the honest hard-working man was sure to suffer. And yet, with all this loud profession, the thousand and one banks which have become bankrupt are for the most part the creatures of Democratic Legislatures. Colonel Benton, the inveterate candidate of hard money, has come out in a letter to the *National Intelligencer*, with his plan for the remedy of the evils of the day. And he recommends the passage of an act for the bankruptcy of banks refusing to pay specie for their bills; and in order to infuse a specie basis, to some extent, for the bank-bill currency which the country must have, the Colonel recommends a stamp duty on all notes issued by banks, to be so graduated as to become prohibitory of the issue of small bills. It has been asked, Can this be done? It has been done; and here is the act, passed on 2d of August, 1813, and approved by James Madison, and which continued in force until February 17, 1816:

"CHAP. LIII.—An act laying duties on notes of bankers, and certain companies; on notes, bonds, and obligations, discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions.

"*Be it enacted, &c.*, That from and after the last day of December next, there shall be levied, collected, and paid, throughout the United States, the several stamp duties following, viz: For every skin, or piece of vellum, or parchment, or sheet or piece of paper, upon which shall be written or printed any or either of the instruments of writing following, to wit:

"On any promissory note or notes, payable either to bearer or order, issued by any of the banks or companies who issue and discount notes, bonds, or obligations, either incorporated or not incorporated, which now are or may hereafter be established in the United States, or by any banker or bankers, according to the following scale, viz:

"If not exceeding one dollar, one cent.

"If above one dollar, and not exceeding two dollars, two cents.

"If above two and not exceeding three dollars, three cents.

"If above three and not exceeding five dollars, five cents.

"If above five and not exceeding ten dollars, ten cents.

"And so on in the same ratio with the higher denominations of bills."

The Board of Trade of Boston recently adopted the following resolution:

"*Resolved*, That among the means of avoiding a recurrence of our present difficulties, we would recommend additional restrictions upon the bank issues, *the abolition of small bills*, the limitation of their loans and circulation, and an increase of the specie reserve."

We shall look with interest for the message of Governor Banks; and we trust he may show to the people of Massachusetts and to the country, that there shall be no holding back by his party in profiting by the fearful lessons taught by the monetary convulsion through which the country is passing, and which is traceable to the facility of creating paper money by bank directors and their companies, at the cost of the working classes. O. P. Q.

BURNING OF THE STEAMER RAINBOW.

On the morning of the 21st, about 2 o'clock, the steamer Rainbow, Capt. Holcraft, on her way from New Orleans to Louisville, with a full cargo of sugar and coffee, and with about 150 souls on board, whilst under way, about ten miles above Napoleon, and near the head of island 74, was discovered to be on fire, and the officer of the deck, Mr. C. Whitlow, at once gave the order to run her on shore—which order was immediately executed by Mr. Lamb, the pilot at the wheel; but by that time the entire boat was enveloped in flames. Those of the passengers and crew that were on the forward part of the boat escaped without difficulty; those on the stern were cut off without any means of escape, except by jumping into the water—and although it was only a few yards to the shore, but few escaped that got into the water, and many were burnt as they lay in their berths—some were overcome with fright, and knew not which way to move, and thus were lost.

The books and papers being lost, it is a matter of utter impossibility to ascertain the names of the lost or saved; but, after carefully comparing the statements of those that were saved, we cannot make the loss less than seventy-five human beings, all ushered into the presence of their Maker without a moment's warning.

The officers of the boat agree that the fire originated in the cook house, which being charred, they think that the fire was under full way before bursting out, and then it was so far started that nothing could be done to arrest its progress.

Her cargo consisted of sugar, molasses, and coffee, for Louisville—about 300 tons in all—a total loss.

The passengers, or a majority of them, were returned Californians, with their treasures of gold and their families, coming back to their *faderland*, but, alas, to meet with the cold embrace of death in its most horrid form, instead of that of kindred and friends from whom they had been so long separated.

All the passengers lost everything—money, clothes, and all they had, except that which they had on. Forty or fifty thousand dollars in gold and twenty thousand in jewelry was undoubtedly lost.

The boat's safe with contents was soon recovered, and those of the passengers who had deposited their money in the office were saved from loss in that particular.

Mr. Wheatley, from California, with wife and child, jumped from the stern, and struck boldly out for the shore, but the wife, having $2,400 in gold on her person, soon sunk to rise no more; the father with his infant in his arms still bravely battled for life, but being numbed from cold, the child slipped and was lost; the father was saved by those on shore who had witnessed his brave struggle against the fates. He had $3,500 in the safe of the boat, which was recovered and placed in his hands. He remained at the wreck, to recover, if possible, the remains of his lost companion and child.

Mr. Whitler, the mate, picked up five persons hanging on to one small piece of timber; all were saved, though. In two of them, life was apparently extinct.

Mr. Maddox, a travelling agent of a Philadelphia house, lost $20,000 worth of jewelry, saved nothing but his pants—no coat, no hat, nothing.—*Louisville Journal.*

THE LOCATION OF A LOVER'S HEART.—The position of the heart is supposed to be tolerably well understood, and yet there is a difference of opinion about the matter. The tragic actor, who, as he rolls the *r* with the rattle of a horse-fiddle, exclaims, "This *hea-r-r-r-rt!*" and simultaneously slapping his right hand on his left breast, is understood to have hit it. But perhaps he is mistaken. We saw an actor the other evening, who, in "suiting the action to the word," indicated an entirely different locality for that important organ. The scene was something like this: Actor, (romantically.)—"The angel! I have her picture here—I always wear it next my heart!" And here he produced the precious Daguerreotype, not from his bosom, but from a pocket in the tail of his coat! There was some laughter about that time among the jollier sort of spectators, while the sentimental and romantic were visibly shocked by this unsuspected turn of "stage business," and hid their blushes in their handkerchiefs.—*Boston Post.*

CHARGE AGAINST MINISTERS.—The Elizabeth City (N. C.) *Democratic Pioneer*, in an article on the Virginia Conference, now in session at that place, says a charge was brought against the Revs. J. E. Edwards and Leonidas Rosser, for *indulging* in a game of "ten-pins" at the Virginia Springs during the past summer.

The charge was founded upon the statement made by a correspondent of the Elizabeth City *American Sentinel*, published in that paper some time in August. The defendants plead guilty to the charge, and, while expressing their regret for the act, denied the intentional commission of wrong, and resorted to the game as a healthy and harmless exercise. The character of the two gentlemen inculpated would never subject them to the charge of a wanton disregard of the obligations and duties appertaining to their vocation; and however improper a resort to the bowling-alley by a Christian minister, there cannot be a doubt that the reason assigned—a good and sufficient one, we might say, if allowed to express an opinion—was the true one. Messrs. Edwards and Rosser pledge themselves from all future indulgence in the game complained of, and the Conference declined any further action in the premises.—*Richmond Enquirer.*

BETTING ON ELECTIONS.—The Supreme Court of Tennessee, in session at Knoxville, has decided that betting on an election held out of the State is not indictable in Tennessee. Betting on an election held in Kentucky, for instance, is not an offence against the laws of Tennessee.

A VALUABLE CROP.—The Ohio wool clip is estimated to exceed that of 1856 by at least three million pounds. The counties in the centre of that State are now as famous for their fine wool as they formerly were for their great crops of wheat. The estimated value is $6,000,000.

AN OFFER TO THE LADIES, TO SUIT THE TIMES.

THE LADIES' VISITOR, published monthly, in the city of New York, is the Cheapest Ladies' Paper in the World! Each number contains an Original Story, the Monthly Fashions, Receipts for the Housekeeper, with other interesting matter. Price, for single copy, Fifty Cents a year; but as we wish to put it into the hands of the million, we offer to any lady who will procure subscribers for it, to collect of each subscriber 25 cents, and retain one-half of the money for her services. In this manner each subscriber will get the paper at half the advertised rates, and the lady can make from $2 to $4 a day.

It is nearly three years since we commenced the publication of the VISITOR; during this time, many ladies have supported themselves handsomely by canvassing for it. The price is so low, almost every one will take it. As no lady who has put forth a vigorous effort has failed of success, it is worth a trial by all females out of employment in these hard times. Specimen copies sent free to any part of the United States. Direct all communications to

Miss LAURA J. CURTIS,
Care of Curtis & Co., New York.

THE NORTH AND THE SOUTH.

A STATISTICAL VIEW
OF THE CONDITION OF
THE FREE AND SLAVE STATES.
By Henry Chase and Charles W. Sanborn.
Compiled from Official Documents.
12mo. Bound in cloth. Price 50 cents. Postage 10 cents.

IF any one wishes to know what Slavery has done for the South, and Freedom for the North, let them read this masterly work. Let him study these figures. Place a copy of these statistics in the hands of every voter, and our word for it, Republicanism will sweep the entire North in 1860, as clean as it has swept New England in 1856. Men of the South, we beg *you* to look calmly and dispassionately at this array of figures, and see what they *portend*.

The able editor of the *Evening Transcript*, Boston, thus speaks of this work:

"This little book contains a vast amount of information respecting the comparative condition of the slaveholding and non-slaveholding States, as to territory, population, industry, wealth, education, intelligence, religion, moral advancement, and general progress. The work must have cost a great deal of laborious research, and it certainly presents arguments in favor of Freedom on every page. It contains just the kind of information that should be more generally known in all sections of the country. We hope there will be a public demand for thousands of copies."

L. CLEPHANE,
Secretary Republican Association,
527 Washington, D. C.

HENRY J. ADAMS. A. C. SWIFT. F. G. ADAMS.

ADAMS, SWIFT, & CO.,
Bankers and Real Estate Agents,
Leavenworth City, Kansas.

Exchange and Land Warrants bought and sold; money received on deposit; Real Estate bought and sold on commission; Lands located by warrants or money in all parts of the Territory.

Refer to Dr. B. T. Reilly, General Land Office, Washington, D. C. 529

TO THE REPUBLICANS THROUGHOUT THE UNITED STATES.

The Battle for Freedom not yet Won.

A WORK OF PERMANENT VALUE.

REPUBLICAN CAMPAIGN DOCUMENTS—1856

In one vol. 8vo. 500 pages. Cloth. Price $1, postage free

HAVING received, since the close of the Campaign, numerous requests for complete sets of the Speeches and Documents issued by the Republican Association, the subscriber is induced to reprint the most important of them in a neat octavo volume of 550 pages. It will be remembered that many of these Speeches and Documents were prepared with great care, and contain much valuable statistical and other matter that cannot readily be obtained elsewhere, and, although compiled specially for the Campaign, possess a permanent value, and will be useful for future reference, especially during the next three years.

These Documents and Speeches may be considered a part of the literature of the day.

The volume contains twenty-six of the most important Speeches delivered in Congress by Republican members together with the Speeches of Senator Seward at Albany and Buffalo, his Plymouth Oration, and three delivered during the Campaign, at Detroit, Oswego, and Auburn.

Also, Weston's standard Documents, entitled—Poor Whites of the South; Southern Slavery Reduces Northern Wages; Who are and who may be Slaves in the United States? Will the South Dissolve the Union? The Federal Union, it must be Preserved; and Who are Sectional?

Report of the Kansas Investigating Committee.

Kansas in 1856. A complete History of the Outrages in Kansas, not embraced in the Kansas Committee Report By an Officer of the Commission.

Reasons for Joining the Republican Party. By Judge Foot.

Organization of the Free State Government in Kansas and Inaugural Address of Gov. Robinson.

The Fugitive Slave Bill of 1850.

LEWIS CLEPHANE,
Secretary Republican Association, National
627 Era Office, Washington, D. C.

POLITICAL FACTS FOR THE PEOPLE.

Olmsted's Seaboard Slave States. One volume, 12mo; cloth; illustrated; price $1.25; postage 24 cents.

From Mrs. H. B. Stowe, in the Independent, February 23.

Mr. Olmsted's book is the most thorough *exposé* of the economical view of this subject which has ever appeared; himself a practical farmer, having visited and surveyed the farming of the Old World, he set out upon a tour to explore the farming of the New. His style is simple, natural, and graphic; and he is so far from being carried away by his feelings, that one sometimes wonders at the calmness with which he will relate the most astounding facts. He never hesitates to admit a merit, or give praise when it is due. The book is very thorough and accurate in its details, and is written in a style so lively, and with so much dramatic incident, as to hold the attention like a work of fiction. A friend of ours, a gentleman of high literary culture, confessed to having been beguiled to sitting more than the first half of the night to read it.

Olmsted's Journey through Texas. One volume, 12mo; cloth; price $1.25; postage 24 cents.

The Duty of the American Scholar to Politics and the Times. An Oration delivered by George W. Curtis, on Tuesday, August 5, 1856, before the Literary Societies of Wesleyan University, Middletown, Conn. Price 25 cents; postage free.

The Political Essays of Parke Godwin, Esq. *Contents.*—Our Parties and Politics; the Vestiges of Despotism; Our Foreign Influence and Policy; Annexation; "America for Americans;" Should we fear the Pope? The Great Question; Northern or Southern, which? Kansas must be Free. Price $1.25; postage 15 cents.

The North and the South. A Statistical View of the Condition of the Free and Slave States. By Henry Chase and Charles W. Sanborn. Compiled from Official Documents. 12mo; bound in cloth; price 50 cents; postage 10 cents.

If any one wishes to know what Slavery has done for the South, and Freedom for the North, let them read this masterly work. Let him study these figures. Place a copy of these statistics in the hands of every voter, and, our word for it, Republicanism will sweep the entire North in 1860, as clean as it has swept New England in 1856. Men of the South, we beg *you* to look calmly and dispassionately at this array of figures, and see what they *portend*.

The able editor of the *Evening Transcript*, Boston, thus speaks of this work:

"This little book contains a vast amount of information respecting the comparative condition of the slaveholding and non-slaveholding States, as to territory, population, industry, wealth, education, intelligence, religion, moral advancement, and general progress. The work must have cost a great deal of laborious research, and it certainly presents arguments in favor of Freedom on every page. It contains just the kind of information that should be more generally known in all sections of the country. We hope there will be a public demand for thousands of copies."

All orders should be addressed to

L. CLEPHANE,
Secretary Republican Association,
Washington, D. C.

THE THIRTY-FIFTH CONGRESS.

THE SENATE—(Sixty-two members.)

	Term expires.
ALABAMA.	
Clement C. Clay, jr.	1859
Benjamin Fitzpatrick	1861
ARKANSAS.	
William K. Sebastian	1859
Robert W. Johnson	1861
CONNECTICUT.	
Lafayette S. Foster	1861
James Dixon	1863
CALIFORNIA.	
W. M. Gwin	1861
David C. Broderick	1863
DELAWARE.	
M. W. Bates	1859
J. A. Bayard	1863
FLORIDA.	
David L. Yulee	1861
S. R. Mallory	1863
GEORGIA.	
Robert Toombs	1859
Alfred Iverson	1861
INDIANA.	
G. N. Fitch	1861
J. D. Bright	1863
ILLINOIS.	
Stephen A. Douglas	1859
Lyman Trumbull	1861
IOWA.	
Geo. W. Jones	1859
James Harlan	1861
KENTUCKY.	
John B. Thompson*	1859
John J. Crittenden*	1861
LOUISIANA.	
Judah P. Benjamin	1859
John Slidell	1861
MAINE.	
William P. Fessenden	1859
H. Hamlin	1863
MASSACHUSETTS.	
Henry Wilson	1859
Charles Sumner	1863
MARYLAND.	
James A. Pearce	1861
Anthony Kennedy*	1863
MISSISSIPPI.	
Albert G. Brown	1859
Jefferson Davis	1863
MICHIGAN.	
Charles E. Stuart	1859
Z. Chandler	1863
MISSOURI.	
J. L. Green	1861
T. Polk	1863
NEW HAMPSHIRE.	
John P. Hale	1859
Daniel Clark	1861
NEW YORK.	
William H. Seward	1861
Preston King	1863
NEW JERSEY.	
William Wright	1859
John R. Thomson	1863
NORTH CAROLINA.	
David S. Reid*	1859
Asa Biggs*	1861
OHIO.	
George E. Pugh	1861
Benjamin F. Wade	1863
PENNSYLVANIA.	
William Bigler	1861
Simon Cameron	1863
RHODE ISLAND.	
Philip Allen	1859
J. F. Simmons	1863
SOUTH CAROLINA.	
Josiah J. Evans	1859
Vacancy	1861
TENNESSEE.	
John Bell*	1861
Andrew Johnson	1863
TEXAS.	
Sam. Houston*	1859
J. P. Henderson	1863
VERMONT.	
Jacob Collamer	1861
Solomon Foot	1863
VIRGINIA.	
R. M. T. Hunter	1859
J. M. Mason	1863
WISCONSIN.	
Charles Durkee	1861
J. R. Doolittle	1863

RECAPITULATION BY FIGURES.

Democrats, (in Roman)	35
Republicans, (*in Italics*)	20
* Know Nothings	7
Total members	62

THE HOUSE OF REPRESENTATIVES.

Two hundred and thirty-four members.

MAINE.

1. John M. Wood.*†
2. Chas. J. Gilman.†
3. N. Abbott.†
4. F. H. Morse.†
5. I. Washburn, jr.*†
6. S. G. Foster.†

NEW HAMPSHIRE.

1. A. H. Cragin.*†
2. James Pike.*†
3. M. W. Tappan.*†

VERMONT.

1. E. P. Walton.†
2. J. S. Morrill.*†
3. H. E. Royce.†

MASSACHUSETTS.

1. Robert B. Hall.*†
2. Jas. Buffinton.*†
3. W. S. Damrell.*†
4. L. B. Comins.*†
5. A. Burlingame.*†
6. Timothy Davis.*†
7. N. P. Banks.*†
8. C. L. Knapp.*†
9. Eli Thayer.†
10. C. C. Chaffee.*†
11. Henry L. Dawes.†

RHODE ISLAND.

1. N. B. Durfee.*†
2. W. D. Brayton.†

CONNECTICUT.

1. Ezra Clark, jr.*†
2. Samuel Arnold.
3. Sidney Dean.*†
4. W. D. Bishop.

NEW YORK.

1. John A. Searing.
2. George Taylor.
3. Dan. E. Sickles.
4. John Kelly.*
5. Wm. B. Maclay.
6. John Cochrane.
7. Elijah Ward.
8. Horace F. Clark.
9. John B. Haskin.
10. A. L. Murray.*†
11. Wm. F. Russell.
12. John Thompson.†
13. Ab. B. Olin.†
14. Erastus Corning.
15 Edward Dodd.*†
16. Geo. W. Palmer.†
17. F. E. Spinner.*†
18. C. B. Cochrane.
19. Oliver A. Morse.†
20. O. B. Matteson.*†
21. H. Bennett.*†
22. H. C. Goodwin.†
23. Chas. B. Hoard.†
24. A. P. Granger.*†
25. Ed. B. Morgan.*†
26. E. B. Pottle.†
27. J. M. Parker.*†
28. Wm. H. Kelsey.*†
29. S. G. Andrews.†
30. J. W. Sherman.†
31. S. M. Burroughs.†
32. Israel T. Hatch.
33. R. E. Fenton.†

NEW JERSEY.

1. I. D. Clawson.*†
2. G. R. Robbins.*†
3. G. B. Adrain.
4. John Huyler.
5. J. R. Wortendyke.

PENNSYLVANIA.

1. T. B. Florence.*
2. Ed. J. Morris.‡
3. James Landy.
4. H. M. Phillips.
5. Owen Jones.
6. John Hickman.*
7. Henry Chapman.
8. J. G. Jones.*
9. A. E. Roberts.*†
10. J. C. Kunkel.*†
11. Wm. L. Dewart.
12. P. Leidy.
13. Wm. H. Dimmick.
14. G. A. Grow.*†
15. Alison White.
16. John A. Ahl.
17. Wilson Reilly.
18. John R. Edie.*†
19. John Covode.*†
20. Wm. Montgomery.
21. David Ritchie.*†
22. S. A. Purviance.*†
23. Wm. Stewart.†
24. J. L. Gillis.
25. John Dick.*†

DELAWARE.

1. William G. Whitley.

MARYLAND.

1. Jas. A. Stewart.*
2. Jas. B. Ricaud.*‡
3. Jas. M. Harris.*‡
4. H. W. Davis.*‡
5. Jacob M. Kunkel.
6. Thos. F. Bowie.*

VIRGINIA.

1. M. R. H. Garnett.
2. J. L. Millson.*
3. John S. Caskie.*
4. W. O. Goode.*
5. Ths. S. Bocock.*
6. Paulus Powell.*
7. William Smith.*
8. C. J. Faulkner.*
9. John Letcher.*
10. S. Clemens.
11. A. G. Jenkins.
12. H. Edmundson.*
13. G. W. Hopkins.*

NORTH CAROLINA.

1. H. M. Shaw.
2. Thomas Ruffin.
3. Warren Winslow.*
4. L. O'B. Branch.*
5. John A. Gilmer.‡
6. Alfred M. Scales.
7. Burton Craige.*
8. T. L. Clingman.*

SOUTH CAROLINA.

1. John McQueen.*
2. Wm. P. Mills.
3. L. M. Keitt.*
4. M. L. Bonham.
5. James L. Orr.*
6. Wm. W. Boyce.*

GEORGIA.

1. Jas. L. Seward.*
2. M. J. Crawford.
3. R. P. Trippe.*‡
4. L. J. Gartrell.
5. A. R. Wright.
6. James Jackson.
7. Joshua Hill.‡
8. A. H. Stephens.*

OHIO.

1. G. H. Pendleton.
2. W. S. Groesbeck.
3. L. D. Campbell.*†
4. M. H. Nichols.*†
5. Richard Mott.*†
6. J. R. Cockerel.
7. Aaron Harlan.*†
8. Benj. Stanton.*†
9. L. W. Hall.
10. Joseph Miller.
11. V. B. Horton.*†
12. Samuel S. Cox.
13. John Sherman.*†
14. Philemon Bliss.*†
15. J. Burns.
16. C. B. Tompkins.†
17. Wm. Lawrence.
18. Benj. F. Leiter.*†
19. Edward Wade.*†
20. J. R. Giddings.*†
21. J. A. Bingham.*†

KENTUCKY.

1. Henry C. Burnett.
2. Samuel O. Peyton.
3. W. L. Underwood.‡
4. A. G. Talbott.*
5. Josh. H. Jewett.
6. John M. Elliott.
7. H. Marshall.*‡
8. James B. Clay.
9. John C. Mason.
10. J. W. Stevenson.

TENNESSEE.

1. A. G. Watkins.*
2. H. Maynard.‡
3. Samuel A. Smith.*
4. J. H. Savage.*
5. Charles Ready.*‡
6. Geo. W. Jones.*
7. John V. Wright.*
8. F. K. Zollicoffer.*‡
9. J. D. C. Adkins.
10. W. T. Avery.*

MISSOURI.

1. F. P. Blair, jr.†
2. T. L. Anderson.‡
3. Jas. B. Clark.
4. J. Craig.
5. S. H. Woodson.‡
6. John S. Phelps.*
7. Sam. Caruthers.*

INDIANA.

1. W. J. Niblack.
2. Wm. H. English.*
3. James Hughes.
4. James B. Foley.
5. David Kilgore.†
6. James M. Gregg.
7. John G. Davis.
8. James Wilson.†
9. Schuyler Colfax.*†
10. Charles Case.†
11. John U. Pettit.*†

ILLINOIS.

1. E. B. Washburn.*†
2. J. E. Farnsworth.†
3. Owen Lovejoy.†
4. William Kellogg.†
5. Isaac N. Morris.
6. Thos. L. Harris.*
7. A. Shaw.
8. Robert Smith.
9. S. A. Marshall.*

FLORIDA.

1. George S. Hawkins.

ALABAMA.

1. Jas. A. Stallworth.
2. E. S. Shorter.*
3. Jas. F. Dowdell.*
5. Sydney Moore.
5. Geo. S. Houston.*
6. W. R. W. Cobb.*
7. J. L. M. Curry.

LOUISIANA.

1. Geo. Eustis, jr.‡
2. Miles Taylor.
3. T. G. Davidson.
4. J. M. Sandidge.*

MISSISSIPPI.

1. L. Q. C. Lamar.
2. Reuben Davis.
3. W. Barksdale.*
4. O. R. Singleton.
5. J. A. Quitman.

MICHIGAN.

1. W. A. Howard.*†
2. Henry Waldron.*†
3. D. S. Walbridge.*†
4. D. C. Leach.†

ARKANSAS.

1. A. B. Greenwood.*
2. Ed. A. Warren.

TEXAS.

1. Guy M. Bryan.
2. J. H. Reagan.

IOWA.

1. Sam. R. Curtis.†
2. Timothy Davis.†

WISCONSIN.

1. John F. Potter.†
2. C. C. Washburn.*†
3. C. Billinghurst.*†

CALIFORNIA.

1. Charles L. Scott.
2. J. C. McKibben.

The following members have been elected to represent Minnesota, upon her admission as a State into the Union: George Becker, W. W. Phelps, and —— Kavanagh—all Democrats.

Delegates from the Territories.

Minnesota, W. W. Kingsbury; Oregon, Joseph Lane; New Mexico, M. A. Otero; Utah, John M. Bernhisel; Washington, I. I. Stevens; Kansas, M. J. Parrott; Nebraska, F. Ferguson.

* Members of the present Congress.	
Buchanan men	129
† Republicans	90
‡ Know Nothings	15
Total	234

THE GLOBE.

THE OFFICIAL PAPER OF CONGRESS.

I publish now my annual Prospectuses of the Daily Globe, and The Congressional Globe and Appendix, to remind subscribers, and inform those who may desire to subscribe, that Congress will meet on the first Monday of next December, when I shall recommence publishing the above-named papers. They have been published so long, that most public men know their character, and therefore I deem it needless to give a minute account of the kind of matter they will contain.

The Daily Globe will contain a report of the Debates in both branches of Congress, as taken down by reporters equal, at least, to any corps of short-hand writers in this or in any other country. A majority of them will, each, be able to report, *verbatim*, ten thousand words an hour, while the average number of words spoken by fluent speakers rarely exceeds seven thousand five hundred words an hour. When the debates of a day do not make more than forty columns, they shall appear in the Daily Globe of the next morning, which will contain, also, the news of the day, together with such editorial articles as may be suggested by passing events.

It is also my intention, from time to time, as occasion may require, to publish my reminiscences of the public men with whom I have been associated during the last twenty-eight years. Anecdotes of General Jackson, and the leaders of the party which he conducted, and the leading men of other parties, will, I believe, be interesting now, when partisan bitterness has abated.

In becoming the reporter of the debates of Congress, I deemed it proper to say, that the Globe would never be a partisan paper. This pledge will not be forfeited by introducing as a contribution to history the political traits of character which distinguished the public men of my time. Although I am, and intend to remain, a thorough Democrat, I will never obtrude my principles in a way to make them obnoxious to any party. But in regard to persons and events which go to make up history, I hope to make the Globe an honest memoir; and, with that view, I am resolved to speak independently of all parties.

The Congressional Globe and Appendix will contain a report of all the Debates in Congress, revised by the speakers, the Messages of the President of the United States, the Annual Reports of the Heads of the Executive Departments, the Laws passed during the session, and copious indexes to all. They will be printed on a double royal sheet, in book form, royal quarto size, each number containing sixteen pages. The whole will make, it is believed, between 3,800 and 3,000 pages, as the long sessions for many years have ranged between those numbers, and the next session will be what is termed "a long one." This I believe is the cheapest work ever sold in any country, whether a reprint, or printed from manuscript copy, taking for *data* the average number of words of the long sessions since the year 1848. The average number of pages is 3,876, and the average number of words on a page is 2 397, consequently the average number of words of a long session is 9,290,772. As I have sold to subscribers that number of words for *six dollars*, it follows that they have paid *less than six and one half cents for every* 100,000 *words I have furnished them*, while I have paid my reporters $6.29 for every 2 397 words of this work, *in manuscript*. Has any other bookseller, anywhere, ever sold a book in the first instance, while it was new, at so low a rate? I believe not; and so strong is my belief, that I hereby agree to give to any person who shall prove the contrary, a complete set of the debates, running back to the year 1833, making forty-three quarto volumes, which sell for $5 a volume. An act of Congress authorizes these papers to go by mail free of postage. The next session will be, without doubt, an unusually interesting one, as it will be the first under a new Administration, and several complex questions must be discussed in it; for example, the currency, Kansas, revenue, and other questions. The Globe will be, as heretofore, the only source from which full debates can be obtained.

TERMS.

For a copy of the Daily Globe one year	$10 00
For a copy of the Daily Globe six months	5 00
For a copy of the Daily Globe during the session	5.00
For a copy of the Congressional Globe and Appendix, and the laws passed during the session	6.00

Bank notes, current in the section of the country where a subscriber resides, will be received at par. The whole or any part of a subscription may be remitted in postage stamps, which is preferable to any currency, except gold or silver.

A paper will not be sent unless the money accompanies the order for it.

I cannot afford to exchange with all the newspapers that desire the Globe; but I will send the Daily Globe during the session to all who shall publish this prospectus three times before the first Monday of next December. Those who may publish should send their papers containing it to me, marked with a pen, to direct attention to it.

JOHN C. RIVES.

WASHINGTON, *October* 27, 1857.

OAK HALL CLOTHING HOUSE.

Gentlemen's, Youth's, and Little Children's
READY-MADE CLOTHING,
FURNISHING GOODS, &c.,
WHOLESALE AND RETAIL.

Our custom department is supplied with an extensive assortment of CLOTHS, DOESKINS, CASSIMERES, VESTINGS, &c., with every facility for the faithful and prompt execution of all orders for genteel clothing.

Military and Naval Officers' Dresses, Military and Firemen's Uniforms, furnished at short notice, and all garments warranted to give perfect satisfaction.

GEO. W. SIMMONS, PIPER, & CO.,
32 & 34 *North street, Boston, Mass.*

NEW VOLUMES
OF THE
FOUR GREAT BRITISH REVIEWS,

NAMELY,

Edinburgh, North British, Westminster, and London Quarterlies, and Blackwood's Edinburgh Magazine, (Monthly,)

Commence with North British for Nov., 1856, and the other Reviews and Blackwood for Jan., 1857.

TERMS OF SUBSCRIPTION.—Any one Review or Blackwood, $3 a year. Blackwood and one Review, or any two Reviews, $5. The four Reviews and Blackwood, $10.

Postage (which should be paid quarterly in advance) on the four Reviews and Blackwood, to any Post Office in the United States, only eighty cents a year. Namely: fourteen cents a year on each Review, and twenty-four cents a year on Blackwood. Address

L. SCOTT & CO., Publishers,
532 54 Gold street, corner of Fulton, New York.

☞ Subscribers in Washington city and vicinity supplied free of postage, by

TAYLOR & MAURY.

BLACKWOOD'S MAGAZINE
AND
THE BRITISH QUARTERLY REVIEWS

Great Inducements to Subscribe!

Cost reduced 50 to 75 per cent.

LEONARD SCOTT & CO., New York, continue to republish the following British Periodicals, viz:

1. The London Quarterly, (Conservative.)
2. The Edinburgh Review, (Whig.)
3. The North British Review, (Free Church.)
4. The Westminster Review, (Liberal.)
5. Blackwood's Edinburgh Magazine, (Tory.)

These Periodicals ably represent the three great political parties of Great Britain—Whig, Tory, and Radical—but politics forms only one feature of their character. As Organs of the most profound writers on Science, Literature, Morality, and Religion, they stand, as they ever have stood, unrivalled in the world of letters, being considered indispensable to the scholar and the professional man, while to the intelligent reader of every class they furnish a more correct and satisfactory record of the current literature of the day, throughout the world, than can be possibly obtained from any other source.

EARLY COPIES.

The receipt of Advance Sheets from the British Publishers gives additional value to these Reprints, inasmuch as they can now be placed in the hands of subscribers about as soon as the original editions.

TERMS.—(Regular Prices.)

For any one of the four Reviews, per annum	$3
For any two of the four Reviews	5
For any three of the four Reviews	7
For all four of the Reviews	8
For Blackwood's Magazine	3
For Blackwood and three Reviews	9
For Blackwood and the four Reviews	10

☞ Payments to be made in all cases in advance. Money current in the State where issued will be received at par.

POSTAGE.

The postage to any part of the United States will be but twenty-four cents a year for "Blackwood," and but fourteen cents a year for each of the Reviews.

At the above prices the Periodicals will be furnished for 1857.

Splendid Offers for 1856 and 1857, Together.

Unlike the more ephemeral Magazines of the day, these Periodicals lose little by age. Hence, a full year of the numbers (with no omissions) for 1856 may be regarded nearly as valuable as for 1857. We propose to furnish the two years at the following extremely low rates, viz:

For Blackwood's Magazine*	$4.50
For any one Review	4 00
For any two Reviews	6.00
For Blackwood and one Review	7.00
For Blackwood and two Reviews	9.00
For three Reviews	8.00
For Blackwood and three Reviews	12.00
For the four Reviews	11.00
For Blackwood and the four Reviews	14.00

* To avoid fractions, $5 may be remitted for Blackwood, for which we will forward that work for both years, postpaid.

N. B. The price in Great Britain of the five Periodicals above named is about $31 per annum.

As we shall never again be likely to offer such inducements as those here presented,

Now is the Time to Subscribe!

☞ Remittances must, in all cases, be made direct to the Publishers, for at these prices no commission can be allowed to agents. Address

LEONARD SCOTT & CO.,
594 No. 54 Gold street, New York.